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2.

THE

TENTH AND TWELFTH BOOKS

OF THE

INSTITUTIONS OF QUINTILIAN

WITH EXPLANATORY NOTES

BY

HENRY S. FRIEZE
PROFESSOR OF LATIN IN THE UNIVERSITY OF MICHIGAN

NEW EDITION
REVISED AND IMPROVED

NEW YORK
D. APPLETON AND COMPANY
1890

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PREFACE TO THE SECOND EDITION.

Since the appearance of the first edition of my Quintilian in 1865, a very thorough revision of the entire text of the Institutions has been made by Carl Halm, and published by B. G. Teubner at Leipsic in 1868; and new and valuable help has been contributed to the interpretation of the tenth book by G. T. A. Krüger, in his commentary on that book, the second edition of which was published at Leipsic by the same house in 1874. The text of the present edition of the tenth and twelfth books has been revised with careful reference to the changes introduced by Halm, and such changes have been adopted where they are well authorized, or where, in cases of doubtful authority, they seemed to yield a more satisfactory meaning. Much assistance has also been derived, in the preparation of the notes of the tenth book, from the excellent and scholarly edition of Krüger. On the twelfth book no new commentary has appeared.

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The notes on both books in this second edition have been greatly amplified, and no labor has been spared to make them helpful wherever help seemed to be needed.

I take this opportunity to express my grateful acknowledgments to Professor E. P. Crowell, of Amherst College, and to my colleague, Professor Elisha Jones, for much aid and many very important suggestions.

HENRY S. FRIEZE.

UNIVERSITY OF MICHIGAN,
January, 1888.

PREFACE TO THE FIRST EDITION.

WE learn from Professor Bonnell, in the preface to his second edition of the tenth book of the Institutions, that Quintilian has been of late years extensively introduced into the German schools. The occasion of the increased attention given to this great master both of Latinity and of rhetoric is the admirable fitness of his work to impart instruction at once by precept and example. While no writer after Cicero presents a more perfect model of purity and elegance, no author, not even Cicero himself, teaches in a manner more clear, methodical, and practical, the principles of good writing and speaking. The study of Quintilian, therefore, affords a rare opportunity of combining what is more immediately with what is more remotely useful; of getting knowledge which has a direct bearing on professional life, and of attaining a higher scholarship in the Latin language.

In the *gymnasia*, at least in many of them,

this study has found a place in the first or highest classes (the *Primaner*); the members of which, *so far as relates to classical studies*, are in a position corresponding very nearly to that of students in our best universities and colleges. Feeling the need of a Latin text-book somewhat different from any hitherto introduced into the middle classes of our course, I was led by the example of the German schools—an authority which in this day no classical teacher can question—to make trial of Quintilian.

The experience of two years has shown not only that this author can be read with the advantages above suggested, but also that classes are better prepared by this study to take up the more peculiar and more difficult writers of "the silver age," and especially Tacitus. The gulf, if I may so express it, between the Latinity of Livy and Tacitus, is in a manner bridged over by what may be called the intermediate or transitional style of Quintilian. For while, in the general principles of taste, and in simplicity, naturalness, and directness, he follows the models of the Ciceronian age, he necessarily uses the diction, and falls in with the idioms of his own time.

In the absence of any edition of Quintilian adapted to the wants of American students, the

editor has selected for publication the tenth and twelfth books, and appended such explanatory and critical notes as seemed most needed. The interest and importance of the topics discussed in these two books will sufficiently explain why these have been selected in preference to any others. That the student may readily learn their character, I have prefixed to the notes on each chapter a summary of the principal ideas embraced therein.

Whatever merit the present edition may possess, either in the text or the notes, is chiefly due to the labors of those German scholars, who have for so many years devoted themselves to the clearing up of doubtful points, both in the text and in the interpretation of this author. The most elaborate and most valuable edition of Quintilian, which has yet appeared, is that published at Leipsic in six volumes, commenced by Spalding and completed by Zumpt. The first volume of this edition was printed in 1795, and the sixth in 1834, the latter edited by Bonnell. Professor Bonnell has also published an edition of the text in the Teubner series of classics, besides a separate edition of the tenth book with notes. These eminent scholars, gathering up, and by their own researches greatly enriching all that had been previously accomplished, have left

little further to be desired in the elucidation of Quintilian. The text here given departs but slightly from that of Bonnell.

Some deviations from the ordinary orthography of Latin books printed in our country will be readily detected, and doubtless have already become familiar through the constantly increasing use of German editions of the classics.

H. S. FRIEZE.

UNIVERSITY OF MICHIGAN,
June, 1865.

INTRODUCTION.

MOST of the representative writers of the so-called silver age were natives of Spain, though some of them were probably descendants of Roman colonists. Cordova gave birth to the two * Senecas and Lucan. Pomponius Mela was from Cingitera, Martial from Bilbilis, Columella from Gades, and Quintilian from Calagurris. That so many distinguished authors, each at that period first in his class, should make their appearance in a country but just now peopled with warlike barbarians, indicates a change in national character and pursuits such as only Roman conquerors and Roman laws could have produced. Indeed, the Iberians or native Spaniards, though the most obstinate of all the foreign tribes ever encountered by the Roman armies, and the most difficult to subdue, were, after their subjugation, imbued more rapidly and more thoroughly than any other European nations with the manners and civilization of their new masters. The elder Seneca, even in the time of Horace, migrated from Cordova to Rome, and there took a high position as a teacher of rhetoric. And it was not without reason that the poet spoke of the Span-

* The elder Seneca, M. Annaeus, is properly assigned to the post-Augustan or silver age, as his writings were published in the reign of Tiberius, though he also flourished as a teacher under Augustus.

iard even then as the *peritus Iber*.* Nor is the tradition without significance which tells of a Spanish scholar of Cadiz making a pilgrimage to Rome on purpose to see the historian Livy.† Such incidents shadow forth the fact that the literary cultivation of the Romans had already permeated the Spanish provinces; and there is good reason for the remark of Mr. Merivale, that "the great Iberian Peninsula was more thoroughly Romanized than any other part of the dominions of the republic."‡

In return for the boon of civilization, Spain reared a noble succession of scholars and writers to infuse new vigor into the thought and the literary life of the mother-country. As the conquered Italians* two centuries earlier had given to Roman literature its first impulses, and had impressed upon the Latinity of the golden age its characteristic types, so now the provincials of Spain became the teachers of the great metropolis, and imparted to the literature of the silver age all the principal features of thought and style which distinguished it from that of the preceding period.

Two of these Spanish authors, the two most widely known and most universally read, were Seneca, the younger, and Quintilian. And it is worthy of remark that with these two illustrious writers originated the two antagonistic schools or styles of Latinity which were struggling with each other for pre-eminence during the latter part of the first century of the empire.

Marcus Fabius Quintilianus was born at Calagurris, now Calahorra, in the northeastern or Tarraconese province of Spain, about A. D. 35.‖ It is said, though on

* O. 2, 20, 19 sq. † Plin. Ep. 2, 3.

‡ Merivale's "History of the Romans under the Empire."

* Nearly all the fathers of Roman literature, especially the early poets, were Italians rather than Romans.

‖ Others give the date 40 or 42.

doubtful authority, that the father of Quintilian was a successful orator and teacher of rhetoric. At an early age Quintilian accompanied his father to Rome, and was placed under the charge of Domitius Afer,* a native of Gaul. Afer was one of the most eminent of the Roman orators or advocates then living, and was far advanced in life. After the death of Afer, which took place about A. D. 60, Quintilian returned to Calagurris, and commenced his professional life as a legal advocate and teacher of rhetoric or forensic oratory. It was then that his reputation and singular merit attracted the notice of Galba, who was at that time Governor of Hispania Tarraconensis, and who soon afterward, on his accession to the imperial throne (A. D. 68), invited the young and brilliant orator to accompany him to Rome. Quintilian entered the city in the train of the new emperor, and henceforth made Rome his permanent abode. He at once gained applause both as an advocate and lecturer. His success and his fame were unexampled. Students flocked to Rome from Italy and from distant provinces to receive his instructions. The first year of Quintilian's residence in Rome was marked by a rapid series of political revolutions, terminating in the overthrow of Vitellius, and the rise of Vespasian and the Flavian family. We now hear, for the first time in the history of Roman education, of government patronage extended on a general and systematic plan to teachers and men of letters. Vespasian, though himself illiterate, convinced of the importance of encouraging education throughout the vast dominions which had fallen under his sway, established annual salaries for the support of Greek and Roman rhetoricians and grammarians.† Quintilian was the first to whom such a pension was assigned.

Twenty years were thus devoted, under the happiest auspices, to the instruction of youth and to the duties of

* Inst. orat. 5, 7, 7. † Suet. Vesp. 18.

the advocate. At the expiration of this period, following out the precept which he has expressed in the Institutions, that the orator should withdraw from public life before he begins to be inferior to himself,* he retired from the bar and from the lecture-room. Some years later he was appointed by Domitian instructor of his nephews, and was raised by the same emperor to the consulship.

Though Quintilian had been so fortunate in his professional career, he was not exempt from the trials and misfortunes of life. At the beginning of the sixth book of the Institutions he speaks of the loss of his wife, who had died young, and of the recent death of his two sons, both of whom had given high promise. We learn from this passage that the elder and last surviving of these sons died when the work was already nearly half completed, and indeed that it had been undertaken partly with reference to his education. But, like Cicero, he sought in literary labor a solace for affliction. Alluding to Cicero's example, he says: *Credendum doctissimis hominibus qui unicum adversorum solatium literas putaverunt.*†

He lived to an advanced age, and is supposed to have died about the year 118 of our era, at the beginning of the reign of Hadrian.

Of the works of Quintilian the *Institutio Oratoria*, or *Education of the Orator*, is the only one which has been preserved. Two other works are ascribed to him, though on insufficient grounds. One of these is a collection of declamations or argumentative speeches on fictitious law cases, some of which are elaborate; most of them, however, merely sketches or studies, and few of them bearing any resemblance to the writings of

* Inst. Orat. 12, 11, 1: *decet hoc prospicere ne quid peius quam fecerit, faciat.*

† Inst. Orat. 6, prooemium 14.

Quintilian. The other is the elegant treatise entitled *Dialogus de Oratoribus*, usually published with the works of Tacitus, and now generally conceded by critics to be from the pen of that author.* The only work besides the Institutions known to have been published by Quintilian is alluded to by our author himself in several passages of the Institutions, and its subject is indicated in the prooemium of the sixth book and in the following sentence at the end of the eighth: *sed de hoc satis, quia eundem locum plenius in eo libro, quo causas corruptae eloquentiae reddebamus, tractavimus.* The words *sive causas corruptae eloquentiae* have sometimes been appended to the title of the above-mentioned Dialogue *de Oratoribus*, on the supposition that this is the work referred to by Quintilian. But this theory is sufficiently disproved by the one argument that the Dialogue does not treat of the *locum* or *topic*, namely, the Hyperbole, discussed by Quintilian in the last part of the eighth book.†

The Institutio Oratoria is an invaluable contribution both to polite literature and to liberal education. It is not in any sense a rival of the rhetorical works of Cicero. These, at least the best of them, were designed for the entertainment, perhaps for the more perfect finish, of such as had already attained a position as public speakers. But the book of Quintilian is a practical guide for the young man who is passing through the course of preliminary training for public life. It gathers up within comparatively narrow limits, and adapts to the purposes of instruction, the principles and doc-

* See the excellent introduction to Nipperdey's edition of Tacitus, where the difference between the style of the "Dialogue" and that of the other works of Tacitus is satisfactorily accounted for.

† The various arguments are summed up in the note on this passage by Capperonier.

trines widely diffused through the rhetorical writings of Aristotle, Theophrastus, Dionysius, Cicero, Caecilius, and many others. A didactic treatise like this must be characterized by simplicity of method, precision of statement, and fullness of detail. It must not presuppose in the reader, as do the finest works of Cicero, a high degree of culture in philosophy and letters already attained. In the Institutions, therefore, we shall not look for that originality,* that breadth, that freedom of digression, and that noble negligence which distinguish the *de Oratore*, the *Brutus*, and the *Orator*. But in its kind the book of Quintilian yet seeks an equal.

It aims to present a proper idea of the responsibility and dignity of the orator's work. It assumes the maxim of the elder Cato, that an orator in the Roman sense, a speaker who would persuade the Roman Senate or the Roman courts, must be not only a master of speech, but also a good man: *vir bonus dicendi peritus.*† The preparation it proposes for this high office commences almost from the cradle. It takes into view the moral and intellectual discipline of the child as well as that of the youth, and upon this earlier training of the nursery and the elementary school it rears the more immediate and technical education of the professional school and the forum. It unfolds in a distinct and practical manner every principle pertaining either to the matter or to the form of oratory, and sets forth every rule of conduct essential to success and reputation.

The Institutions are comprised in twelve books. They were published about A. D. 95. The whole work is commonly entitled *de Institutione Oratoria Libri xii.*‡

* Quintilian says of Cicero: *Non enim pluvias, ut ait Pindarus, aquas colligit, sed vivo gargite exundat.* Inst. 10, 1, 109.

† Inst. Orat. 12, 1, 1.

‡ The title has been variously given as M. F. Quintilian. de Institutione Oratoria Libri xii; M. F. Q. Institutionum Oratoriarum Lib. xii; M. F. Q. Institutionis Oratoriae Libri xii. The last is the prevailing form in the best MSS.

The topics discussed in the several books are briefly stated by the author in the introduction.* The first book gives an account of the home-training and the school discipline which should precede the lessons of the rhetorician; *ea quae sunt ante officium rhetoris.* The second book treats of the primary exercises of the pupil in rhetoric; *prima apud rhetorem elementa*, and of the nature and object and the utility and dignity of the art of oratory; *quae de ipsa rhetoricae substantia quaeruntur.* The remaining books, except the last, are devoted to the five topics embraced in every complete system of rhetoric, the *partes rhetoricae* of Cicero, *invention*, *disposition*, or *arrangement*, *style*, *memory*, and *delivery.*† The discussion of *invention* and *arrangement* closes with the seventh book. The next four books are occupied chiefly with the subject of *style*, or form of expression.‡ Of these the eighth and ninth treat of the elements of a good style, the tenth of the practical studies and exercises necessary to the actual possession and command of these elements, the eleventh of adapting the style to the occasion, and of memory and delivery.

In the twelfth and last book the author presents his views of the character which should be cultivated by the orator after leaving the school of rhetoric, what principles should govern him in assuming, investigating, and pleading causes, what should be his style of eloquence, at what period of life he should retire from his work, and how spend the evening of his days; *qui mores ejus, quae in suscipiendis, discendis agendis causis ratio, quod eloquentiae genus, quis agendi debeat esse*

* *Prooemium*, 21.

† Cic. *de inventione*, i, 7, 9; *inventio, dispositio, elocutio, memoria, pronunciatio* (vel *actio*).

‡ Elocutio.

finis, quae post finem studia. This he regards as the most important and at the same time the most adventurous part of his work. It opens a wide and almost unexplored region. *Unum modo in illa, immensa vastitate cernere videmur Marcum Tullium.* And even Marcus Tullius has limited himself to a single one of these topics, the kind of eloquence to be cultivated by a perfect orator.* But Quintilian ventures to add also, as no less vital to the development of the perfect orator, some observations on the personal morals, the responsibilities, duties, and proprieties pertaining to the whole life of the public speaker. *At nostra temeritas etiam mores ei conabitur dare, et assignabit officia.*

Such is the substance of the only extant work of Quintilian—a work deservedly eminent as a summary of all that was taught and practiced in the eloquence of the ancient republics, and as itself a model of classical purity and beauty.

Quintilian as an author has been remarkably fortunate. No writer ever found a public better prepared to appreciate and applaud. He had stood before the Roman world for twenty years, at once the most perfect teacher and pattern of eloquence. His hearers had copied, and circulated here and there in Italy and the provinces, occasional specimens of his lectures. When it was known that he was himself writing a book which was to embody in an enduring form the rich stores of his learning and experience, all students, as well as teachers of oratory, looked impatiently for its appearance. It was greeted, of course, with universal applause. The Institutions of Quintilian became at once in oratory what the Codes and Pandects afterward became in law. The book was admirably fitted to meet the wants of the day. Public speaking was still, in the imperial times,

* Cic. Orat. 1, 8; *quaeris quod eloquentiae genus probem maxime.*

even as in the republican period, one of the highest occupations of the Roman citizen; and it was still one of the surest avenues to honor and wealth. The sphere of eloquence, indeed, was now confined to the senate and the civil courts. Those great popular assemblies which had once quickened the orator to his grandest efforts, had been long ago wholly suppressed. But the occasions for speaking were no fewer, though less stirring, and grandeur and pathos were now and then called for even in the centumviral courts and in the sessions of the dignified though servile senate. It is needless, therefore, to say that all education culminated in oratory, and that educators and students found in the practical character of the new "Institutions" exactly what was needed to perfect their training according to this Roman theory of culture. Thus it happened, in consequence of the prestige of the author's reputation, and the adaptation of the treatise to the wants of the public, that he eclipsed in the minds of his contemporaries all who had written before him on the same subject. The result was that the rhetorical treatises of Cicero were but little read, and those of the Greeks still less.

Nor has this great work of Quintilian been less fortunate in subsequent times. Its reputation was preserved through the middle ages, and though the manuscripts had gradually disappeared or become mutilated,* so that in the time of Petrarch only imperfect copies were in use, it happened that the Florentine scholar Poggio, while attending the Council of Constance in 1417, discovered a perfect exemplar in an old tower of the monastery of St. Gall. The recovered treasure was eagerly caught up by the scholars of the Renaissance. It was multiplied in manuscript, and soon afterward by the

* *Is* (Quintilianus) *vero apud nos antea (Italos dico) ita laceratus erat, ita circumcisus, ut nulla forma, nullus habitus hominis in eo recognosceretur.—Poggio's Letter to Guarini.*

newly-invented art of printing. It was translated into all the polite languages; and so it continued to be, as in the silver age, the normal law of eloquence.

Though the position which Quintilian has gained in the literary world by this happy combination of circumstances is perhaps higher than that which would be awarded by the verdict of an exact and candid criticism, yet we can scarcely overestimate the actual worth of his treatise, and the benefits which both modern and ancient eloquence have derived from its study. His true position, as compared with that of Cicero, is thus happily stated by Campanus: *Proinde de Quintiliano sic habe: post unam beatissimam et unicam felicitatem M. Tullii, quae* FASTIGII LOCO *suspicienda est omnibus et tanquam adoranda,* HUNC UNUM *esse quem praecipuum habere possis* IN ELOQUENTIA DUCEM.

A notice of Quintilian would be incomplete without some account of the influence of his criticism upon the writings of his age. It was the principal aim of his instruction to reform the corrupted eloquence of his contemporaries, and to bring back a purer style of Latinity.

In the century which had elapsed between Cicero and Quintilian, Rome had been thoroughly transformed from an aristocratic republic to a military autocracy. During the same interval the manners of the higher classes had become effeminate, artificial, and depraved. This political revolution and social degeneracy had been attended by a change equally marked in the style of Roman eloquence. The language both of orators and writers was now characterized by showy declamation, rhetorical parade, and by much of that quality which is now called sensationalism. The reading public relished, in books, speeches, and recitations, something kindred to the artificial dishes contrived by the surfeited Roman nobility to quicken their pampered appetites. Everything must strike and stimulate. They craved only that

kind of literature which was stuffed with novel ideas and spiced with antithesis and epigrammatic point. That chaste and elegant style which had been brought by the writers of the golden age to the highest pitch of richness and beauty, "the style which leaves the thought to its direct and natural development, adorning it only with wealth of expression, and with the lofty movement of the period, which is everywhere marked by symmetry and harmony,"* the style of Cicero, Caesar, and Livy, had become too commonplace for the ambitious orators and authors of the imperial times, and too tame for their sensual hearers and readers.

The literary Apicius who ministered most acceptably to this morbid craving for sensational writing was Lucius Annaeus Seneca. This truly great thinker and almost inspired moralist was led as much, perhaps, by an innate love for boldness of expression as by the desire of pleasing his contemporaries, to clothe his ideas in the fashionable dress. Certainly no writer cultivated this manner to greater perfection, or used it with keener relish or more telling effect. It had only needed the sanction and example of a master-mind to impress it thoroughly on the literature of the period, and to make it supplant, for a time at least, the Latinity of the classical age. Such high authority it found in Seneca. If philosophy, and that, too, of the Stoic school—for Seneca, though disclaiming to represent any school, was nevertheless substantially a Stoic—could clothe its moral lessons in the most brilliant and studied forms of rhetoric, it follows that history and memoirs, and all writings of the epideictic class should be not less adorned. All prose literature, therefore, now abounded in showy passages, adapted to quotation, in forms caught from the earlier poets and in new and striking phrases. Even poetry was declamation in verse, and oratory, of course,

* Nipperdey, Introd., p. 27.

was set off with the stilted and foppish rhetoric of the schools. Susceptibility of quotation was the test of excellence. The youth pursuing his literary studies at Rome eagerly caught up "fine sentences" from popular orators and lecturers. He wished to carry home something brilliant and deserving of memory. Such things as pleased his fancy he often transmitted to his friends in the colonies and provinces.* This demand the speakers were ambitious to meet.

Thus, at the time of Quintilian's final settlement in Rome, he found every department of letters pervaded with all possible enormities of corrupted taste. Seneca had taught the philosopher to declaim in moral essays, Valerius had declaimed in historical anecdotes, and Lucan in epic poetry. Even natural history and geography were composed in the declamatory vein. Every writer sought to appear ingenious, keen, and oracular. Abruptness, obscurity, affectation, uniform brilliancy, bombast, extravagance, every vice of a depraved taste, was rife in the speeches and publications of the day.†

Fortunately for Quintilian, in his attempt at reform, he was not compelled to encounter the living influence of Seneca. The tragic death of that eminent philosopher had occurred several years before. Another circumstance which favored Quintilian was the marked change in the tone of feeling and in the habits of the Romans, brought about by the accession of the Flavian family to the empire. The people were sobered, and social life was less ostentatious and artificial. A corrected judgment in respect to the fashions of society might be expected to heed the teachings of sound criticism in letters. Thus Quintilian, superior as he was in gifts and attainments to most of the literary men then living, surrounded by a multitude of devoted pupils

* See the Dialogue of Tacitus de Orat. 20.

† Inst. Orat. 2, 21; 3, 23; 8, prooem. 23, sqq.

from families of influence in Italy and the provinces, respected and befriended by the imperial court, must have entered upon his labor of love with the strongest assurance of success.

He did not intend, and could not hope, to bring back the Latinity of the Ciceronian age in all its characteristic features. It is not in the power of criticism to make the language of one generation precisely like that of generations past.* Quintilian could have no more reproduced Cicero in his own writings, except as a literary curiosity, than Macaulay could have adapted to our times the prose style of Milton. His aim was simply to induce the writers of his day to employ the existing materials of the language according to the immutable laws of taste. His purpose is thus distinctly expressed in the tenth book: "I am striving to call back the style of eloquence, corrupted and vitiated by every fault, to severer standards." †

In the style of the Institutions, composed in the full maturity of his powers, and in the perfect development of his judgment, he has fully exemplified all that he aimed throughout his professional life to enforce by precept.

We can plainly see the happy influence of Quintilian's earnest teachings in the Latin works which appeared while he was still engaged in public lecturing, as well as in some of those which were published after he had retired from professional life. It is most apparent in the "Dialogue concerning Orators," and in the letters of the younger Pliny. The latter was a pupil of Quintilian, and ever remained his warm admirer and fast friend. His letters, indeed, indicate the man of refine-

* Cicero himself says of the archaic writers, *Imitari neque possim si velim, nec velim, fortasse, si possim.* Brut. 83, 28.

† *Corruptum et omnibus vitiis fractum dicendi genus revocare ad severiora iudicia contendo.* X, 1, 125.

ment rather than of power, but as specimens of epistolary composition, apart from their historical value, they are deservedly ranked among the best of ancient times. The "Dialogue on Orators," ascribed to Tacitus, and certainly written in the reign of Vespasian,* is the most finished work in Latin subsequent to the golden age, and will bear comparison even with the most perfect productions of that period. "There is no Latin book," says M. Pierron, "I do not except even the finest books of Cicero, to which the reader is held with a livelier interest. We learn much from it, and we meet, not here and there, but on every page and in almost every line, those marks of genius, thoughts, images, expressions, which prove that the author had good reason for affirming that, after the heroes of ancient literature, new heroes could still arise."† That this treatise was inspired by the teachings of Quintilian, there can be no reasonable doubt. At any rate, this most eminent of all the rhetoricians who were lecturing at Rome at the time when Tacitus was finishing his education there, must have powerfully influenced the mind and the taste of this young orator and future historian. Tacitus was already the intimate friend of Pliny, and must have been with him an admirer if not a pupil of Quintilian.

But, of course, it was not so much in general literature as in oratory itself that Quintilian had aimed to make himself felt; and it was here that he had the happiness of witnessing in the evening of his life the full fruition of his early labors. We can easily imagine him in these later years, as he sat in the Roman senate among his colleagues of consular rank, and listened with rapt attention to the eloquence of those who had been trained by his instruction, and in whom he now realized his hopes and ideals, experiencing the deep and lively

* See Dial. de Orat., 17.

† Pierron, "Histoire de la Litérature Romaine," p. 564.

satisfaction of having done so much to make them what they were. When, for example, before a crowded senate, in presence of the Emperor Trajan, Pliny and Tacitus, as prosecutors on the part of the state, arraigned in powerful speeches Marius Priscus, the Warren Hastings of that day, on the charge of maladministration of a province, and were answered on the side of the accused by three senators, their rivals in speech, Marcellinus, Salvius, and Fronto, he who had probably been the master of most of them, and of many orators conspicuous like them in the senate and at the bar, must have felt that in striving so earnestly throughout the active period of his life to bring back Roman eloquence to its primitive purity, he had not labored in vain.*

* This remarkable state trial, which is described in Pl. Ep. ii, 11, occurred in the year A. D. 100.

M. FABII QUINTILIANI
INSTITUTIONIS ORATORIAE

LIBRI X ET XII

M. FABII QUINTILIANI

INSTITUTIONIS ORATORIAE

LIBER DECIMUS.

QUOMODO FIRMA FACILITAS PARETUR.

CAPUT I.

DE COPIA VERBORUM.

I. SED haec eloquendi praecepta, sicut cognitioni sunt necessaria, ita non satis ad vim dicendi valent, nisi illis firma quaedam facilitas, quae apud Graecos ἕξις nominatur, accesserit; ad quam scribendo plus an legendo an dicendo conferatur, solere quaeri scio. Quod esset diligenti nobis examinandum cura, si qualibet earum rerum possemus una esse contenti. 2 Verum ita sunt inter se conexa et indiscreta omnia, ut, si quid ex his defuerit, frustra sit in ceteris laboratum. Nam neque solida atque robusta fuerit umquam eloquentia, nisi multo stilo vires acceperit, et citra lectionis exemplum labor ille carens rectore fluitabit; qui autem sciet, quae, quoque sint modo dicenda, nisi tamen in procinctu paratamque ad omnis casus habuerit eloquentiam, velut clausis thesauris incubabit. 3 Non autem ut quidque praecipue necessarium est, sic ad effici-

endum oratorem maximi protinus erit momenti. Nam certe cum sit in eloquendo positum oratoris officium, dicere ante omnia est, atque hinc initium eius artis fuisse manifestum est; proximam deinde imitationem, novissimam scribendi quo-
4 que diligentiam. Sed ut perveniri ad summa nisi ex principiis non potest, ita procedente iam opere minima incipiunt esse quae prima sunt.

Verum nos non, quomodo instituendus orator, hoc loco dicimus (nam id quidem aut satis aut certe uti potuimus dictum est), sed athleta, qui omnis iam perdidicerit a praeceptore numeros, quo genere exercitationis ad certamina praeparandus sit. Igitur eum, qui res invenire et disponere sciet, verba quoque et eligendi et conlocandi rationem perceperit, instruamus, qua ratione, quod didicerit, facere quam optime, quam facillime possit.

5 Num ergo dubium est, quin ei velut opes sint quaedam parandae, quibus uti, ubicumque desideratum erit, possit? Eae constant copia rerum
6 ac verborum. Sed res propriae sunt cuiusque causae, aut paucis communes, verba in universas paranda; quae si rebus singulis essent singula, minorem curam postularent; nam cuncta sese cum ipsis protinus rebus offerrent. Sed cum sint aliis alia aut magis propria aut magis ornata aut plus efficentia aut melius sonantia, debent esse non solum nota omnia, sed in promptu atque, ut ita dicam, in conspectu, ut, cum se iudicio dicentis ostenderint, facilis ex his optimorum sit
7 electio. Et quae idem significarent solitos scio ediscere, quo facilius et occurreret unum ex plu-

ribus, et, cum essent usi aliquo, si breve intra spatium rursus desideraretur, effugiendae repetitionis gratiā sumerent aliud, quo idem intellegi posset. Quod cum est puerile et cuiusdam infelicis operae, tum etiam utile parum; turbam enim tantum congregat, ex qua sine discrimine occupet proximum quodque.

8 Nobis autem copia cum iudicio paranda est vim orandi, non circulatoriam volubilitatem spectantibus. Id autem consequemur optima legendo atque audiendo. Non enim solum nomina ipsa rerum cognoscemus hac cura, sed quod quoque loco sit aptissimum. Omnibus enim 9 fere verbis praeter pauca, quae sunt parum verecunda, in oratione locus est. Nam scriptores quidem iamborum veterisque comoediae etiam in illis saepe laudantur; sed nobis nostrum opus intueri sat est. Omnia verba, exceptis de quibus dixi, sunt alicubi optima; nam et humilibus interim et vulgaribus est opus, et quae nitidiore in parte videntur sordida, ubi res poscit, proprie dicuntur. Haec ut sciamus atque eorum non sig- 10 nificationem modo, sed formas etiam mensurasque norimus, ut, ubicumque erunt posita, conveniant, nisi multa lectione atque auditione adsequi nullo modo possumus, cum omnem sermonem auribus primum accipiamus. Propter quod infantes a mutis nutricibus iussu regum in solitudine educati, etiamsi verba quaedam emisisse traduntur, tamen loquendi facultate caruerunt. Sunt autem 11 alia huius naturae, ut idem pluribus vocibus declarent, ita ut nihil significationis, quo potius utaris, intersit, ut 'ensis' et 'gladius'; alia vero,

quae etiamsi propria rerum aliquarum sint nomina, τροπικῶς [quasi] tamen ad eundem intellectum
12 feruntur, ut 'ferrum' et 'mucro.' Nam per abusionem 'sicarios' etiam omnis vocamus, qui caedem telo quocumque commiserint. Alia circuitu verborum plurium ostendimus, quale est 'et pressi copia lactis.' Plurima vero mutatione figuramus: 'scio,' 'non ignoro' et 'non me fugit' et 'non me praeterit' et 'quis nescit'? et 'nemini
13 dubium est.' Sed etiam ex proximo mutuari libet. Nam et 'intellego' et 'sentio' et 'video' saepe idem valent quod 'scio.' Quorum nobis ubertatem ac divitias dabit lectio, ut non solum quomodo occurrent, sed etiam quomodo oportet utamur.
14 Non semper enim haec inter se idem faciunt, nec sicut de intellectu animi recte dixerim 'video,' ita de visu oculorum 'intellego,' nec ut 'mucro' gladium, sic 'mucronem 'gladius' ostendit.

15 Sed ut copia verborum sic paratur, ita non verborum tantum gratiā legendum vel audiendum est. Nam omnium, quaecunque docemus, hoc sunt exempla potentiora etiam ipsis quae traduntur artibus (cum eo qui discit perductus est, ut intellegere ea sine demonstrante et sequi iam suis viribus possit), quia, quae doctor praecepit, orator ostendit.

16 Alia vero audientis, alia legentis magis adiuvant. Excitat qui dicit spiritu ipso, nec imagine et ambitu rerum, sed rebus incendit. Vivunt omnia enim et moventur, excipimusque nova illa velut nascentia cum favore ac sollicitudine. Nec fortunā modo iudicii, sed etiam ipsorum qui
17 orant periculo adficimur. Praeter haec vox, actio,

decora, commoda, ut quisque locus postulabit, pronuntiandi, vel potentissima in dicendo, ratio et, ut semel dicam, pariter omnia docent. In lectione certius iudicium, quod audienti frequenter aut suus cuique favor aut ille laudantium clamor extorquet. Pudet enim dissentire, et ve- 18
lut tacita quadam verecundia inhibemur plus nobis credere, cum interim et vitiosa pluribus placent, et a conrogatis laudantur etiam quae non placent. Sed e contrario quoque accidit, ut 19
optime dictis gratiam prava iudicia non referant. Lectio libera est nec ut actionis impetus transcurrit, sed repetere saepius licet, sive dubites sive memoriae adfigere velis. Repetamus autem et tractemus, et ut cibos mansos ac prope liquefactos demittimus, quo facilius digerantur, ita lectio non cruda, sed multa iteratione mollita et velut confecta memoriae imitationique tradatur.

Ac diu nonnisi optimus quisque et qui cre- 20
dentem sibi minime fallat legendus est, sed diligenter ac paene ad scribendi sollicitudinem; nec per partes modo scrutanda omnia, sed perlectus liber utique ex integro resumendus, praecipue oratio, cuius virtutes frequenter ex industria quoque occultantur. Saepe enim praeparat, dissim- 21
ulat, insidiatur orator, eaque in prima parte actionis dicit, quae sunt in summa profutura. Itaque suo loco minus placent, adhuc nobis quare dicta sint ignorantibus, ideoque erunt cognitis omnibus repetenda. Illud vero utilissimum, 22
nosse eas causas, quarum orationes in manus sumpserimus, et quotiens continget, utrimque habitas legere actiones: ut Demosthenis atque

Aeschinis inter se contrarias, et Servii Sulpicii atque Messalae, quorum alter pro Aufidia, contra dixit alter, et Pollionis et Cassii reo Aspre-
23 nate aliasque plurimas. Quin etiam si minus pares videbuntur, aliquae tamen ad cognoscendam litium quaestionem recte requirentur, ut contra Ciceronis orationes Tuberonis in Ligarium et Hortensii pro Verre. Quin etiam easdem causas ut quisque egerit utile erit scire. Nam de domo Ciceronis dixit Calidius et pro Milone orationem Brutus exercitationis gratia scripsit (etiamsi egisse eum Cornelius Celsus falso exis-
24 timat), et Pollio et Messala defenderunt eosdem, et nobis pueris insignes pro Voluseno Catulo Domitii Afri, Crispi Passieni, Decimi Laelii orationes ferebantur.

Neque id statim legenti persuasum sit, omnia, quae optimi auctores dixerint, utique esse perfecta. Nam et labuntur aliquando et oneri cedunt et indulgent ingeniorum suorum voluptati, nec semper intendunt animum, nonnumquam fatigantur; cum Ciceroni dormitare interim Demosthenes, Horatio
25 vero etiam Homerus ipse videatur. Summi enim sunt, homines tamen, acciditque his, qui, quidquid apud illos repererunt, dicendi legem putant, ut deteriora imitentur (id enim est facilius) ac se abunde similes putent, si vitia magnorum conse-
26 quantur. Modesto tamen et circumspecto iudicio de tantis viris pronuntiandum est, ne, quod plerisque accidit, damnent quae non intellegunt. Ac si necesse est in alteram errare partem omnia eorum legentibus placere quam multa displicere maluerim.

Rem. Introduce.

Plurimum dicit oratori conferre Theophras- 27
tus lectionem poetarum, multique eius iudicium sequuntur neque immerito. Namque ab his in rebus spiritus et in verbis sublimitas et in adfectibus motus omnis et in personis decor petitur, praecipueque velut attrita cotidiano actu forensi ingenia optime rerum talium blanditia reparantur. Ideoque in hac lectione Cicero requiescendum putat. Meminerimus tamen non 28
per omnia poetas esse oratori sequendos nec libertate verborum nec licentia figurarum; genus ostentationi comparatum, et praeter id, quod solam petit voluptatem eamque etiam fingendo non falsa modo, sed etiam quaedam incredibilia sectatur, patrocinio quoque aliquo iuvari: quod 29
adligata ad certam pedum necessitatem non semper uti propriis possit, sed depulsa recta via necessario ad eloquendi quaedam deverticula confugiat, nec mutare quaedam modo verba, sed extendere, corripere, convertere, dividere cogatur; nos vero armatos stare in acie et summis de rebus decernere et ad victoriam niti. Neque ergo 30
arma squalere situ ac rubigine velim, sed fulgorem in iis esse qui terreat, qualis est ferri, quo mens simul visusque praestringitur, non qualis auri argentique, imbellis et potius habenti periculosus.

Historia quoque alere oratorem quodam 31
uberi iucundoque suco potest, verum et ipsa sic est legenda, ut sciamus plerasque eius virtutes oratori esse vitandas. Est enim proxima poetis et quodammodo carmen solutum, et scribitur ad narrandum non ad probandum, totumque opus

in a manner

non ad actum rei pugnamque praesentem, sed ad memoriam posteritatis et ingenii famam componitur; ideoque et verbis remotioribus et liberi-
32 oribus figuris narrandi taedium evitat. Itaque, ut dixi, neque illa Sallustiana brevitas, qua nihil apud aures vacuas atque eruditas potest esse perfectius, apud occupatum variis cogitationibus iudicem et saepius ineruditum, captanda nobis est, neque illa Livii lactea ubertas satis docebit eum, qui non speciem expositionis, sed fidem
33 quaerit. Adde quod M. Tullius ne Thucydidem quidem aut Xenophontem utiles oratori putat, quamquam illum bellicum canere, huius ore Musas esse locutas existimet. Licet tamen nobis in digressionibus uti vel historico nonnumquam nitore, dum in his, de quibus erit quaestio, meminerimus, non athletarum toros, sed militum lacertos opus esse, nec versicolorem illam, qua Demetrius Phalereus dicebatur uti, vestem bene
34 ad forensem pulverem facere. Est et alius ex historiis usus et is quidem maximus, sed non ad praesentem pertinens locum, ex cognitione rerum exemplorumque, quibus imprimis instructus esse debet orator, ne omnia testimonia expectet a litigatore, sed pleraque ex vetustate diligenter sibi cognita sumat, hoc potentiora, quod ea sola criminibus odii et gratiae vacant.

35 A philosophorum vero lectione ut essent multa nobis petenda, vitio factum est oratorum, qui quidem illis optima sui operis parte cesserunt. Nam et de iustis, honestis, utilibus, iisque quae sint istis contraria, et de rebus divinis maxime dicunt et argumentantur acriter; et alterca-

tionibus atque interrogationibus oratorem futurum optime Socratici praeparant. Sed his quo-
36 que adhibendum est simile iudicium, ut etiam cum in rebus versemur iisdem, non tamen eandem esse condicionem sciamus litium ac disputationum, fori et auditorii, praeceptorum et periculorum.

Credo exacturos plerosque, cum tantum esse
37 utilitatis in legendo iudicemus, ut id quoque adiungamus operi, qui sint legendi, quae in auctore quoque praecipua virtus. Sed persequi singulos infiniti fuerit operis. Quippe cum in
38 Bruto M. Tullius tot milibus versuum de Romanis tantum oratoribus loquatur et tamen de omnibus aetatis suae, qui tum vivebant, exceptis Caesare atque Marcello, silentium egerit; quis erit modus, si et illos et qui postea fuerunt et Graecos omnis et philosophos? Fuit igitur
39 brevitas illa tutissima, quae est apud Livium in epistola ad filium scripta, legendos Demosthenem atque Ciceronem, tum ita, ut quisque esset Demostheni et Ciceroni simillimus. Non est dissimulanda nostri quo-
40 que iudicii summa. Paucos enim vel potius vix ullum ex his, qui vetustatem pertulerunt existimo posse reperiri, quin iudicium adhibentibus adlaturus sit utilitatis aliquid, cum se Cicero ab illis quoque vetustissimis auctoribus, ingeniosis quidem, sed arte carentibus, plurimum fateatur adiutum. Nec multo aliud de novis sentio. Quotus enim quisque inveniri tam demens potest,
41 qui ne minima quidem alicuius certe fiducia partis memoriam posteritatis speraverit? Qui

si quis est, intra primos statim versus deprehendetur et citius nos dimittet, quam ut eius nobis magno temporis detrimento constet experimen-
42 tum. Sed non quidquid ad aliquam partem scientiae pertinet, protinus ad faciendam etiam phrasin, de qua loquimur, accommodatum.

Verum antequam de singulis loquar, pauca in universum de varietate opinionum dicenda sunt.
43 Nam quidam solos veteres legendos putant neque in ullis aliis esse naturalem eloquentiam et robur viris dignum arbitrantur, alios recens haec lascivia deliciaeque et omnia ad voluptatem multi-
44 tudinis imperitae composita delectant. Ipsorum etiam qui rectum dicendi genus sequi volunt, alii pressa demum et tenuia et quae minimum ab usu cotidiano recedant, sana et vere Attica putant, quosdam elatior ingenii vis et magis concitata et plena spiritus capit; sunt etiam lenis et nitidi et compositi generis non pauci amatores. De qua differentia disseram diligentius cum de genere dicendi quaerendum erit. Interim summatim, quid et a qua lectione petere possint, qui confirmare facultatem dicendi volent, attingam:
45 paucos enim (sunt eminentissimi) excerpere in animo est; facile est autem studiosis, qui sint his simillimi, iudicare; ne quisquam queratur, omissos forte aliquos, quos ipse valde probet; fateor enim pluris legendos esse quam qui a me nominabuntur.

Sed nunc genera ipsa lectionum, quae praecipue convenire intendentibus, ut oratores fiant, existimem, persequar.

46 Igitur, ut Aratus ab Iove incipiendum

putat, ita nos rite coepturi ab Homero videmur. Hic enim, quemadmodum ex Oceano dicit ipse amnium fontiumque cursus initium capere, omnibus eloquentiae partibus exemplum et ortum dedit. Hunc nemo in magnis rebus sublimitate, in parvis proprietate superaverit. Idem laetus ac pressus, iucundus et gravis, tum copia tum brevitate mirabilis, nec poetica modo, sed ora-
47 toria virtute eminentissimus. Nam ut de laudibus, exhortationibus, consolationibus taceam, nonne vel nonus liber, quo missa ad Achillem legatio continetur, vel in primo inter duces illa contentio vel dictae in secundo sententiae omnis litium ac consiliorum explicant artes? Adfectus quidem
48 vel illos mites vel hos concitatos nemo erit tam indoctus, qui non in sua potestate hunc auctorem habuisse fateatur. Age vero, non in utriusque operis sui ingressu in paucissimis versibus legem prooemiorum non dico servavit, sed constituit? Nam benevolum auditorem invocatione dearum, quas praesidere vatibus creditum est, et intentum proposita rerum magnitudine et docilem summa celeritate comprensa facit. Narrare vero quis
49 brevius quam qui mortem nuntiat Patrocli, quis significantius potest quam qui Curetum Aetolorumque proelium exponit? Iam similitudines, amplificationes, exempla, digressus, signa rerum et argumenta ceteraque genera probandi ac refutandi sunt ita multa, ut etiam qui de artibus scripserunt plurima harum rerum testimonia ab hoc poeta petant. Nam epilogus quidem quis
50 umquam poterit illis Priami rogantis Achillem precibus aequari? Quid? in verbis, sententiis,

figuris, dispositione totius operis nonne humani ingenii modum excedit? ut magni sit virtutes eius non aemulatione, quod fieri non potest, sed
51 intellectu sequi. Verum hic omnis sine dubio et in omni genere eloquentiae procul a se reliquit, epicos tamen praecipue, videlicet quia clarissima
52 in materia simili comparatio est. Raro adsurgit Hesiodus, magnaque pars eius in nominibus est occupata; tamen utiles circa praecepta sententiae levitasque verborum et compositionis probabilis, daturque ei palma in illo medio
53 genere dicendi. Contra in Antimacho vis et gravitas et minime vulgare eloquendi genus habet laudem. Sed quamvis ei secundas fere grammaticorum consensus deferat, et adfectibus et iucunditate et dispositione et omnino arte deficitur, ut plane manifesto appareat, quanto
54 sit aliud proximum esse, aliud secundum. Panyasin, ex utroque mixtum, putant in eloquendo neutriusque aequare virtutes, alterum tamen ab eo materia, alterum disponendi ratione superari. Apollonius in ordinem a grammaticis datum non venit, quia Aristarchus atque Aristophanes neminem sui temporis in numerum redegerunt; non tamen contemnendum,
55 edidit opus aequali quadam mediocritate. Arati materia motu caret, ut in qua nulla varietas, nullus adfectus, nulla persona, nulla cuiusquam sit oratio; sufficit tamen operi, cui se parem credidit. Admirabilis in suo genere Theocritus sed musa illa rustica et pastoralis non forum modo, verum ipsam etiam urbem reformidat.
56 Audire videor undique congerentis nomina

plurimorum poetarum. Quid? Herculis acta non bene Pisandros? Nicandrum frustra secuti Macer atque Vergilius? Quid? Euphorionem transibimus? quem nisi probasset Vergilius, idem numquam certe conditorum Chalcidico versu carminum fecisset in Bucolicis mentionem. Quid? Horatius frustra Tyrtaeum Homero subiungit? Nec sane quisquam est 57
tam procul a cognitione eorum remotus, ut non indicem certe ex bibliotheca sumptum transferre in libros suos possit. Nec ignoro igitur quos transeo nec utique damno, ut qui dixerim esse in omnibus utilitatis aliquid. Sed ad illos iam perfectis constitutisque viribus revertemur; quod in 58
cenis grandibus saepe facimus, ut, cum optimis satiati sumus, varietas tamen nobis ex vilioribus grata sit. Tunc et elegiam vacabit in manus sumere, cuius princeps habetur Callimachus, secundas confessione plurimorum Philetas occupavit.

Sed dum adsequimur illam firmam, ut dixi, 59
facilitatem, optimis adsuescendum est et multa magis quam multorum lectione formanda mens et ducendus color. Itaque ex tribus receptis Aristarchi iudicio scriptoribus iamborum ad ἕξιν maxime pertinebit unus Archilochus. Summa in hoc vis elocutionis, cum validae tum 60
breves vibrantesque sententiae, plurimum sanguinis atque nervorum, adeo ut videatur quibusdam, quod quoquam minor est, materiae esse non ingenii vitium.

Novem vero Lyricorum longe Pindarus 61
princeps spiritus magnificentia, sententiis, figu-

ris, beatissima rerum verborumque copia et velut quodam eloquentiae flumine; propter quae Horatius eum merito credidit nemini imitabilem.
62 Stesichorum, quam sit ingenio validus, materiae quoque ostendunt, maxima bella et clarissimos canentem duces et epici carminis onera lyra sustinentem. Reddit enim personis in agendo simul loquendoque debitam dignitatem, ac si tenuisset modum, videtur aemulari proximus Homerum potuisse; sed redundat atque effunditur, quod ut est reprehendendum, ita copiae
63 vitium est. Alcaeus in parte operis aureo plectro merito donatur, qua tyrannos insectatus multum etiam moribus confert; in eloquendo quoque brevis et magnificus et diligens et plerumque oratori similis; sed et lusit et in amores
64 descendit, maioribus tamen aptior. Simonides, tenuis alioqui, sermone proprio et iucunditate quadam commendari potest; praecipua tamen eius in commovenda miseratione virtus, ut quidam in hac eum parte omnibus eius operis auctoribus praeferant.
65 Antiqua comoedia cum sinceram illam sermonis Attici gratiam prope sola retinet, tum facundissimae libertatis est et insectandis vitiis praecipua; plurimum tamen virium etiam in ceteris partibus habet. Nam et grandis et elegans et venusta, et nescio an ulla, post Homerum tamen, quem, ut Achillen, semper excipi par est, aut similior sit oratoribus aut ad oratores faciendos aptior. Plures eius auctores; Aristophanes tamen et Eupolis Cratinusque praecipui.

Tragoedias primus in lucem Aeschylus 66
protulit, sublimis et gravis et grandiloquus saepe usque ad vitium, sed rudis in plerisque et incompositus; propter quod correctas eius fabulas in certamen deferre posterioribus poetis Athenienses permiserunt, suntque eo modo multi coronati. Sed longe clarius illustraverunt hoc opus Sopho- 67
cles atque Euripides, quorum in dispari dicendi via uter sit poeta melior, inter plurimos quaeritur. Idque ego sane, quoniam ad praesentem materiam nihil pertinet, iniudicatum relinquo. Illud quidem nemo non fateatur necesse est, iis, qui se ad agendum comparant, utiliorem longe fore Euripiden. Namque is et sermone 68
(quod ipsum reprehendunt, quibus gravitas et cothurnus et sonus Sophoclis videtur esse sublimior) magis accedit oratorio generi, et sententiis densus et in iis, quae a sapientibus tradita sunt, paene ipsis par, et dicendo ac respondendo cuilibet eorum, qui fuerunt in foro diserti, comparandus; in adfectibus vero cum omnibus mirus, tum in iis, qui miseratione constant, facile praecipuus.
Hunc et admiratus maxime est, ut saepe tes- 69
tatur, et eum secutus, quamquam in opere diverso, Menander, qui vel unus, meo quidem iudicio, diligenter lectus, ad cuncta, quae praecipimus, efficienda sufficiat; ita omnem vitae imaginem expressit, tanta in eo inveniendi copia et eloquendi facultas, ita est omnibus rebus, personis, adfectibus accommodatus. Nec nihil profecto vide- 70
runt, qui orationes, quae Charisii nomine eduntur, a Menandro scriptas putant. Sed mihi longe

magis orator probari in opere suo videtur, nisi forte aut illa mala iudicia, quae Epitrepontes, Epicleros, Locroe habent, aut meditationes in Psophodee, Nomothete, Hypobolimaeo non omni-
71 bus oratoriis numeris sunt absolutae. Ego tamen plus adhuc quiddam collaturum eum declamatoribus puto, quoniam his necesse est secundum condicionem controversiarum plures subire personas: patrum, filiorum, militum, rusticorum, divitum, pauperum, irascentium, deprecantium, mitium, asperorum. In quibus omnibus
72 mire custoditur ab hoc poeta decor. Atque ille quidem omnibus eiusdem operis auctoribus abstulit nomen et fulgore quodam suae claritatis tenebras obduxit. Tamen habent alii quoque comici, si cum venia leguntur, quaedam quae possis decerpere; et praecipue Philemon, qui ut pravis sui temporis iudiciis Menandro saepe praelatus est, ita consensu tamen omnium meruit credi secundus.

73 Historiam multi scripsere praeclare, sed nemo dubitat longe duos ceteris praeferendos, quorum diversa virtus laudem paene est parem consecuta. Densus et brevis et semper instans sibi Thucydides, dulcis et candidus et fusus Herodotus; ille concitatis hic remissis adfectibus melior, ille contionibus hic sermonibus, ille
74 vi hic voluptate. Theopompus, his proximus, ut in historia praedictis minor, ita oratori magis similis, ut qui, antequam est ad hoc opus sollicitatus, diu fuerit orator. Philistus quoque meretur qui turbae quamvis bonorum post eos auctorum eximatur, imitator Thucydidis et ut multo

infirmior ita aliquatenus lucidior. Ephorus, ut Isocrati visum, calcaribus eget. Clitarchi pro- 75
batur ingenium, fides infamatur. Longo post intervallo temporis natus Timagenes vel hoc est ipso probabilis, quod intermissam historias scribendi industriam nova laude reparavit. Xenophon non excidit mihi, sed inter philosophos reddendus est.

Sequitur oratorum ingens manus, ut cum 76
decem simul Athenis aetas una tulerit. Quorum longe princeps Demosthenes ac paene lex orandi fuit; tanta vis in eo, tam densa omnia, ita quibusdam nervis intenta sunt, tam nihil otiosum, is dicendi modus, ut nec quod desit in eo nec quod redundet invenias. Plenior Aeschi- 77
nes et magis fusus et grandiori similis, quo minus strictus est; carnis tamen plus habet, minus lacertorum. Dulcis in primis et acutus Hyperides, sed minoribus causis, ut non dixe-
rim utilior, magis par. His aetate Lysias mai- 78
or, subtilis atque elegans et quo nihil, si oratori satis sit docere, quaeras perfectius. Nihil enim est inane, nihil arcessitum; puro tamen fonti quam magno flumini propior. Isocrates in di- 79
verso genere dicendi nitidus et comptus et palaestrae quam pugnae magis accommodatus omnis dicendi veneres sectatus est, nec immerito; auditoriis enim se, non iudiciis compararat; in inventione facilis, honesti studiosus, in compositione adeo diligens, ut cura eius reprehendatur. Ne- 80
que ego in his, de quibus locutus sum, has solas virtutes, sed has praecipuas puto, nec ceteros parum fuisse magnos. Quin etiam Phalerea il-

lum Demetrium, quamquam is primus inclinasse eloquentiam dicitur, multum ingenii habuisse et facundiae fateor, vel ob hoc memoria dignum, quod ultimus est fere ex Atticis, qui dici possit orator; quem tamen in illo medio genere dicendi praefert omnibus Cicero.

81 Philosophorum, ex quibus plurimum se traxisse eloquentiae M. Tullius confitetur, quis dubitet Platonem esse praecipuum sive acumine disserendi sive eloquendi facultate divina quadam et Homerica? Multum enim supra prosam orationem et quam pedestrem Graeci vocant surgit, ut mihi non hominis ingenio, sed quodam
82 Delphico videatur oraculo instinctus. Quid ego commemorem Xenophontis illam iucunditatem inadfectatam, sed quam nulla consequi adfectatio possit? ut ipsae sermonem finxisse Gratiae videantur et, quod de Pericle veteris comoediae testimonium est, in hunc transferri iustissime possit, in labris eius sedisse quandam persuaden-
83 di deam. Quid reliquorum Socraticorum elegantiam? Quid Aristotelem? quem dubito scientia rerum an scriptorum copia an eloquendi vi ac suavitate an inventionum acumine an varietate operum clariorem putem. Nam in Theophrasto tam est loquendi nitor ille divinus,
84 ut ex eo nomen quoque traxisse dicatur. Minus indulsere eloquentiae Stoici veteres, sed cum honesta suaserunt, tum in conligendo probandoque, quae instituerant, plurimum valuerunt, rebus tamen acuti magis quam, id quod sane non adfectaverunt, oratione magnifici.

85 Idem nobis per Romanos quoque auctores

ordo ducendus est. Itaque ut apud illos Homerus, sic apud nos Vergilius auspicatissimum dederit exordium, omnium eius generis poetarum Graecorum nostrorumque haud dubie proximus.
Utar enim verbis iisdem, quae ex Afro Domitio 86
iuvenis excepi, qui mihi interroganti, quem Homero crederet maxime accedere, secundus, inquit, est Vergilius, propior tamen primo quam tertio. Et hercule ut illi naturae caelesti atque immortali cesserimus, ita curae et diligentiae vel ideo in hoc plus est, quod ei fuit magis laborandum, et quantum eminentibus vincimur, fortasse aequalitate pensamus. Ceteri omnes longe sequentur. Nam Macer et Lu- 87
cretius legendi quidem, sed non ut phrasin, id est, corpus eloquentiae faciant; elegantes in sua quisque materia, sed alter humilis, alter difficilis. Atacinus Varro in iis, per quae nomen est adsecutus, interpres operis alieni, non spernendus quidem, verum ad augendam facultatem dicendi parum locuples. Ennium sicut sacros vetustate 88
lucos adoremus, in quibus grandia et antiqua robora iam non tantam habent speciem quantam religionem. Propiores alii atque ad hoc, de quo loquimur, magis utiles. Lascivus quidem in herois quoque Ovidius et nimium amator ingenii sui, laudandus tamen in partibus. Corne- 89
lius autem Severus, etiamsi versificator quam poeta melior, si tamen [ut est dictum] ad exemplar primi libri bellum Siculum perscripsisset, vindicaret sibi iure secundum locum. Serranum consummari mors immatura non passa est; puerilia tamen eius opera et maximam indolem

ostendunt et admirabilem praecipue in aetate illa
90 recti generis voluntatem. Multum in Valerio Flacco nuper amisimus. Vehemens et poeticum ingenium Saleii Bassi fuit, nec ipsum senectute maturuit. Rabirius ac Pedo non indigni cognitione, si vacet. Lucanus ardens et concitatus et sententiis clarissimus et, ut dicam quod sentio, magis oratoribus quam poetis
91 imitandus. Hos nominavimus, quia Germanicum Augustum ab institutis studiis deflexit cura terrarum, parumque dis visum est esse eum maximum poetarum. Quid tamen his ipsis eius operibus, in quae, donato imperio, iuvenis secesserat, sublimius, doctius, omnibus denique numeris praestantius? Quis enim caneret bella melius quam qui sic gerit? Quem praesidentes studiis deae propius audirent? Cui magis suas
92 artis aperiret familiare numen Minerva? Dicent haec plenius futura saecula, nunc enim ceterarum fulgore virtutum laus ista praestringitur. Nos tamen sacra litterarum colentis feras, Caesar, si non tacitum hoc praeterimus et Vergiliano certe versu testamur:

inter victrices hederam tibi serpere laurus.

93 Elegia quoque Graecos provocamus, cuius mihi tersus atque elegans maxime videtur auctor Tibullus. Sunt qui Propertium malint. Ovidius utroque lascivior, sicut durior Gallus.

Satura quidem tota nostra est, in qua primus insignem laudem adeptus Lucilius quosdam ita deditos sibi adhuc habet amatores, ut eum non

eiusdem modo operis auctoribus, sed omnibus poetis praeferre non dubitent. Ego quantum ab 94
illis tantum ab Horatio dissentio, qui Lucilium fluere lutulentum et esse aliquid, quod tollere possis, putat. Nam eruditio in eo mira et libertas atque inde acerbitas et abunde salis. Multum est tersior ac purus magis Horatius et, nisi labor eius amore, praecipuus. Multum et verae gloriae quamvis uno libro Persius meruit. Sunt clari hodieque et qui olim nominabuntur. Alterum illud etiam prius saturae genus, sed 95
non sola carminum varietate mixtum, condidit Terentius Varro, vir Romanorum eruditissimus. Plurimos hic libros et doctissimos composuit, peritissimus linguae Latinae et omnis antiquitatis et rerum Graecarum nostrarumque; plus tamen scientiae conlaturus quam eloquentiae.

Iambus non sane a Romanis celebratus est 96
ut proprium opus, quibusdam interpositus, cuius acerbitas in Catullo, Bibaculo, Horatio, quamquam illi epodos interveniat, reperietur.

At Lyricorum idem Horatius fere solus legi dignus; nam et insurgit aliquando, et plenus est iucunditatis et gratiae et variis figuris et verbis felicissime audax. Si quem adicere velis, is erit Caesius Bassus, quem nuper vidimus; sed eum longe praecedunt ingenia viventium.

Tragoediae scriptores veterum Attius at- 97
que Pacuvius clarissimi gravitate sententiarum, verborum pondere, auctoritate personarum. Ceterum nitor et summa in excolendis operibus manus magis videri potest temporibus quam ipsis

defuisse. Virium tamen Attio plus tribuitur, Pacuvium videri doctiorem, qui esse docti ad-
98 fectant, volunt. Iam Varii Thyestes cuilibet Graecarum comparari potest. Ovidii Medea videtur mihi ostendere, quantum ille vir praestare potuerit, si ingenio suo imperare quam indulgere maluisset. Eorum quos viderim longe princeps Pomponius Secundus, quem senes quidem parum tragicum putabant, eruditione ac nitore praestare confitebantur.

99 In comoedia maxime claudicamus, licet Varro Musas, Aelii Stilonis sententia, Plautino dicat sermone locuturas fuisse, si Latine loqui vellent, licet Caecilium veteres laudibus ferant, licet Terentii scripta ad Scipionem Africanum referantur; quae tamen sunt in hoc genere elegantissima et plus adhuc habitura
100 gratiae, si intra versus trimetros stetissent. Vix levem consequimur umbram, adeo ut mihi sermo ipse Romanus non recipere videatur illam solis concessam Atticis venerem, cum eam ne Graeci quidem in alio genere linguae obtinuerint. Togatis excellit Afranius; utinam non inquinasset argumenta puerorum foedis amoribus, mores suos fassus.

101 At non historia cesserit Graecis. Nec opponere Thucydidi Sallustium verear, nec indignetur sibi Herodotus aequari T. Livium, cum in narrando mirae iucunditatis clarissimique candoris, tum in contionibus supra quam enarrari potest eloquentem; ita quae dicuntur omnia cum rebus, tum personis accommodata sunt; adfectus quidem, praecipueque eos qui sunt dulciores, ut

parcissime dicam, nemo historicorum commendavit magis. Ideoque immortalem illam Sallustii 102
velocitatem diversis virtutibus consecutus est. Nam mihi egregie dixisse videtur Servilius Nonianus, pares eos magis quam similes; qui et ipse a nobis auditus est, clari vir ingenii et sententiis creber, sed minus pressus quam historiae auctoritas postulat. Quam, paulum aetate 103
praecedens eum, Bassus Aufidius egregie, utique in libris belli Germanici, praestitit, genere ipso probabilis, sed in quibusdam operibus suis ipse viribus minor. Superest adhuc et exornat 104
aetatis nostrae gloriam vir saeculorum memoria dignus, qui olim nominabitur, nunc intellegitur. Habet amatores nec imitatores, ut cui libertas, quamquam circumcisis quae dixisset, nocuerit. Sed elatum abunde spiritum et audaces sententias deprehendas etiam in iis, quae manent. Sunt et alii scriptores boni, sed nos genera degustamus, non bibliothecas excutimus.

Oratores vero vel praecipue Latinam elo- 105
quentiam parem facere Graecae possint. Nam Ciceronem cuicumque eorum fortiter opposuerim. Nec ignoro, quantam mihi concitem pugnam, cum praesertim non sit id propositi, ut eum Demostheni comparem hoc tempore, neque enim attinet, cum Demosthenem in primis legendum vel ediscendum potius putem. Quorum ego 106
virtutes plerasque arbitror similes: consilium, ordinem, dividendi, praeparandi, probandi rationem, omnia denique quae sunt inventionis. In eloquendo est aliqua diversitas: densior ille, hic copiosior, ille concludit astrictius, hic latius, pug-

nat ille acumine semper, hic frequenter et pondere, illi nihil detrahi potest, huic nihil adici,
107 curae plus in illo, in hoc naturae. Salibus certe et commiseratione, quae duo plurimum in adfectibus valent, vincimus. Et fortasse epilogos illi mos civitatis abstulerit; sed et nobis illa, quae Attici mirantur, diversa Latini sermonis ratio minus permiserit. In epistulis quidem, quamquam sunt utriusque, dialogisve, quibus nihil
108 ille, nulla contentio est. Cedendum vero in hoc, quod et prior fuit et ex magna parte Ciceronem, quantus est, fecit. Nam mihi videtur M. Tullius, cum se totum ad imitationem Graecorum contulisset, effinxisse vim Demosthenis, copiam
109 Platonis, iucunditatem Isocratis. Nec vero quod in quoque optimum fuit, studio consecutus est tantum, sed plurimas vel potius omnis ex se ipso virtutes extulit immortalis ingenii beatissima ubertate. Non enim pluvias, ut ait Pindarus, aquas conligit, sed vivo gurgite exundat, dono quodam providentiae genitus, in quo totas vires suas eloquentia experiretur.
110 Nam quis docere diligentius, movere vehementius potest? Cui tanta umquam iucunditas adfuit? ut ipsa illa, quae extorquet, impetrare eum credas, et cum transversum vi sua iudicem ferat,
111 tamen ille non rapi videatur, sed sequi. Iam in omnibus, quae dicit, tanta auctoritas inest, ut dissentire pudeat, nec advocati studium, sed testis aut iudicis adferat fidem; cum interim haec omnia, quae vix singula quisquam intentissima cura consequi posset, fluunt inlaborata, et illa, qua nihil umquam pulchrius auditum est, oratio prae

se fert tamen felicissimam facilitatem. Quare 112
non immerito ab hominibus aetatis suae regnare in iudiciis dictus est, apud posteros vero id consecutus, ut Cicero iam non hominis nomen, sed eloquentiae habeatur. Hunc igitur spectemus, hoc propositum nobis sit exemplum, ille se profecisse sciat, cui Cicero valde placebit. Multa in 113
Asinio Pollione inventio, summa diligentia, adeo ut quibusdam etiam nimia videatur, et consilii et animi satis; a nitore et iucunditate Ciceronis ita longe abest, ut videri possit saeculo prior. At Messala nitidus et candidus et quodammodo praeferens in dicendo nobilitatem suam, viribus minor. C. vero Caesar si foro tantum 114
vacasset, non alius ex nostris contra Ciceronem nominaretur. Tanta in eo vis est, id acumen, ea concitatio, ut illum eodem animo dixisse, quo bellavit, appareat; exornat tamen haec omnia mira sermonis, cuius proprie studiosus fuit, elegantia. Multum ingenii in Caelio et praecipue 115
in accusando multa urbanitas, dignusque vir cui et mens melior et vita longior contigisset. Inveni qui Calvum praeferrent omnibus, inveni qui Ciceroni crederent, eum nimia contra se calumnia verum sanguinem perdidisse; sed est et sancta et gravis oratio et castigata et frequenter vehemens quoque. Imitator autem est Atticorum, fecitque illi properata mors iniuriam, si quid adiecturus sibi, non si quid detracturus fuit. Et Servius Sulpicius insignem non immerito 116
famam tribus orationibus meruit. Multa, si cum iudicio legatur, dabit imitatione digna Cassius Severus, qui si ceteris virtutibus colorem et

gravitatem orationis adiecisset, ponendus inter
117 praecipuos foret. Nam et ingenii plurimum est
in eo et acerbitas mira, et urbanitas eius summa;
sed plus stomacho quam consilio dedit. Praeterea ut amari sales, ita frequenter amaritudo ipsa
118 ridicula est. Sunt alii multi diserti, quos persequi longum est. Eorum quos viderim Domitius Afer et Iulius Africanus longe praestantissimi: verborum arte ille et toto genere dicendi praeferendus et quem in numero veterum habere non timeas; hic concitatior, sed in cura verborum nimius et compositione nonnumquam longior et translationibus parum modicus.
119 Erant clara et nuper ingenia. Nam et Trachalus plerumque sublimis et satis apertus fuit et quem velle optima crederes, auditus tamen maior; nam et vocis, quantam in nullo cognovi, felicitas et pronuntiatio vel scaenis suffectura et decor, omnia denique ei, quae sunt extra, superfuerunt; et Vibius Crispus compositus et iucundus et delectationi natus, privatis tamen causis quam
120 publicis melior. Iulio Secundo, si longior contigisset aetas, clarissimum profecto nomen oratoris apud posteros foret; adiecisset enim, atque adiciebat ceteris virtutibus suis quod desiderari potest; id est autem ut esset multo magis pugnax et saepius ad curam rerum ab
121 elocutione respiceret. Ceterum interceptus quoque magnum sibi vindicat locum; ea est facundia, tanta in explicando quod velit gratia, tam candidum et lene et speciosum dicendi genus, tanta verborum etiam quae adsumpta sunt proprietas, tanta in quibusdam ex periculo petitis

significantia. Habebunt, qui post nos de oratori- 122
bus scribent, magnam eos, qui nunc vigent, materiam vere laudandi. Sunt enim summa hodie, quibus inlustratur forum, ingenia. Namque et consummati iam patroni veteribus aemulantur, et eos iuvenum ad optima tendentium imitatur ac sequitur industria.

Supersunt, qui de philosophia scripserunt, 123
quo in genere paucissimos adhuc eloquentes litterae Romanae tulerunt. Idem igitur M. Tullius, qui ubique, etiam in hoc opere Platonis aemulus extitit. Egregius vero multoque quam in orationibus praestantior Brutus suffecit ponderi rerum; scias eum sentire quae dicit. Scripsit 124
non parum multa Cornelius Celsus, Sextios secutus, non sine cultu ac nitore. Plautus in Stoicis rerum cognitioni utilis. In Epicureis levis quidem, sed non iniucundus tamen auctor est Catius. Ex industria Senecam in omni 125
genere eloquentiae distuli propter vulgatam falso de me opinionem, qua damnare eum et invisum quoque habere sum creditus. Quod accidit mihi, dum corruptum et omnibus vitiis fractum dicendi genus revocare ad severiora iudicia contendo. Tum autem solus hic fere in manibus adulescen- 126
tium fuit. Quem non equidem omnino conabar excutere, sed potioribus praeferri non sinebam, quos ille non destiterat incessere, cum, diversi sibi conscius generis, placere se in dicendo posse iis, quibus illi placent, diffideret. Amabant autem eum magis quam imitabantur tantumque ab eo defluebant, quantum ille ab antiquis descenderat. Foret enim optandum, pares aut saltem proximos 127

illi viro fieri. Sed placebat propter sola vitia et ad ea se quisque dirigebat effingenda, quae poterat; deinde cum se iactaret eodem modo dicere,
128 Senecam infamabat. Cuius et multae alioqui et magnae virtutes fuerunt, ingenium facile et copiosum, plurimum studii, multa rerum cognitio; in qua tamen aliquando ab his, quibus inquirenda quaedam mandabat, deceptus est. Tractavit etiam omnem fere studiorum materiam.
129 Nam et orationes eius et poemata et epistulae et dialogi feruntur. In philosophia parum diligens, egregius tamen vitiorum insectator fuit. Multae in eo claraeque sententiae, multa etiam morum gratia legenda; sed in eloquendo corrupta pleraque atque eo perniciosissima, quod abundant dulci-
130 bus vitiis. Velles eum suo ingenio dixisse, alieno iudicio; nam si aliqua contempsisset, si pravum non concupisset, si non omnia sua amasset, si rerum pondera minutissimis sententiis non fregisset, consensu potius eruditorum quam puero-
131 rum amore comprobaretur. Verum sic quoque iam robustis et severiore genere satis firmatis legendus vel ideo, quod exercere potest utrimque iudicium. Multa enim, ut dixi, probanda in eo, multa etiam admiranda sunt, eligere modo curae sit; quod utinam ipse fecisset. Digna enim fuit illa natura quae meliora vellet, quae quod voluit effecit.

CAPUT II.

DE IMITATIONE.

II. Ex his ceterisque lectione dignis auctoribus et verborum sumenda copia est et varietas figurarum et componendi ratio, tum ad exemplum virtutum omnium mens dirigenda. Neque enim dubitari potest, quin artis pars magna contineatur imitatione. Nam ut invenire primum fuit estque praecipuum, sic ea, quae bene inventa sunt, utile sequi. Atque omnis vitae ratio sic 2
constat, ut quae probamus in aliis facere ipsi velimus. Sic litterarum ductus, ut scribendi fiat usus, pueri sequuntur, sic musici vocem docentium, pictores opera priorum, rustici probatam experimento culturam in exemplum intuentur, omnis denique disciplinae initia ad propositum sibi praescriptum formari videmus. Et hercule 3
necesse est aut similes aut dissimiles bonis simus. Similem raro natura praestat, frequenter imitatio. Sed hoc ipsum, quod tanto faciliorem nobis rationem omnium facit quam fuit iis, qui nihil quod sequerentur habuerunt, nisi caute et cum iudicio adprehenditur, nocet.

Ante omnia igitur imitatio per se ipsa non 4
sufficit, vel quia pigri est ingenii contentum esse iis, quae sint ab aliis inventa. Quid enim futurum erat temporibus illis, quae sine exemplo fuerunt, si homines nihil, nisi quod iam cognovissent, faciendum sibi aut cogitandum putassent? Nempe nihil fuisset inventum. Cur igi- 5

tur nefas est reperiri aliquid a nobis, quod ante non fuerit? An illi rudes sola mentis natura ducti sunt in hoc, ut tam multa generarent: nos ad quaerendum non eo ipso concitemur, quod
6 certe scimus invenisse eos, qui quaesierunt? Et cum illi, qui nullum cuiusquam rei habuerunt magistrum, plurima in posteros tradiderint: nobis usus aliarum rerum ad eruendas alias non proderit, sed nihil habebimus nisi beneficii alieni? Quemadmodum quidam pictores in id solum student, ut describere tabulas mensuris ac lineis sciant.

7 Turpe etiam illud est, contentum esse id consequi quod imiteris. Nam rursus quid erat futurum, si nemo plus effecisset eo quem sequebatur? Nihil in poetis supra Livium Andronicum, nihil in historiis supra pontificum annales haberemus, ratibus adhuc navigaretur; non esset pictura, nisi quae lineas modo extremas umbrae, quam corpora in sole fecissent, circumscriberet.
8 Ac si omnia percenseas, est nulla ars, qualis inventa est, nec intra initium stetit; nisi forte nostra potissimum tempora damnamus huius infelicitatis, ut nunc demum nihil crescat. Nihil
9 autem crescit sola imitatione. Quodsi prioribus adicere fas non est, quo modo sperare possumus illum oratorem perfectum? cum in his, quos maximos adhuc novimus, nemo sit inventus, in quo nihil aut desideretur aut reprehendatur. Sed etiam qui summa non adpetent, contendere
10 potius quam sequi debent. Nam qui agit ut prior sit, forsitan, etiamsi non transierit, aequabit. Eum vero nemo potest aequare, cuius vestigiis sibi utique insistendum putat; necesse est enim semper sit posterior qui sequitur. Adde quod plerumque facilius est plus facere quam idem; tantam enim difficultatem habet similitudo, ut ne ipsa quidem natura in hoc ita evaluerit, ut non res simplicissimae, quaeque pares maxime videantur, utique discrimine aliquo discernantur.

Adde quod, quidquid alteri simile est, necesse est 11
minus sit eo, quod imitatur, ut umbra corpore et imago facie et actus histrionum veris adfectibus. Quod in orationibus quoque evenit. Namque eis, quae in exemplum adsumimus, subest natura et vera vis; contra omnis imitatio ficta est et ad alienum propositum accommodatur.
Quo fit ut minus sanguinis ac virium decla- 12
mationes habeant quam orationes, quod in illis vera in his adsimulata materia est. Adde quod ea, quae in oratore maxima sunt, imitabilia non sunt, ingenium, inventio, vis, facilitas, et quidquid arte non traditur. Ideo plerique, cum 13
verba quaedam ex orationibus excerpserunt aut aliquos compositionis certos pedes, mire a se quae legerunt effingi arbitrantur; cum et verba intercidant invalescantque temporibus, ut quorum certissima sit regula in consuetudine, eaque non sua natura sint bona aut mala (nam per se soni tantum sunt), sed prout opportune proprieque aut secus conlocata sunt, et compositio cum rebus accommodata sit, tum ipsa varietate gratissima.

Quapropter exactissimo iudicio circa hanc 14
partem studiorum examinanda sunt omnia. Primum, quos imitemur; nam sunt plurimi, qui similitudinem pessimi cuiusque et corruptissimi

concupierunt; tum in ipsis, quos elegerimus, quid
15 sit, ad quod nos efficiendum comparemus. Nam
in magnis quoque auctoribus incidunt aliqua
vitiosa et a doctis inter ipsos etiam mutuo repre-
hensa; atque utinam tam bona imitantes dicerent
melius quam mala peius dicunt. Nec vero saltem
iis, quibus ad evitanda vitia iudicii satis fuit,
sufficiat imaginem virtutis effingere et solam, ut
sic dixerim, cutem, vel potius illas Epicuri figu-
16 ras, quas e summis corporibus dicit effluere. Hoc
autem his accidit, qui non introspectis penitus
virtutibus ad primum se velut aspectum oratio-
nis aptarunt; et cum iis felicissime cessit imita-
tio, verbis atque numeris sunt non multum diffe-
rentes, vim dicendi atque inventionis non adse-
quuntur, sed plerumque declinant in peius et
proxima virtutibus vitia comprehendunt fiuntque
pro grandibus tumidi, pressis exiles, fortibus
temerarii, laetis corrupti, compositis exultantes,
17 simplicibus neglegentes. Ideoque qui horride
atque incomposite quidlibet illud frigidum et
inane extulerunt, antiquis se pares credunt, qui
carent cultu atque sententiis, Atticis scilicet, qui
praecisis conclusionibus obscuri, Sallustium atque
Thucydidem superant, tristes ac ieiuni Pollionem
aemulantur, otiosi et supini, si quid modo longius
circumduxerunt, iurant ita Ciceronem locuturum
18 fuisse. Noveram quosdam, qui se pulchre ex-
pressisse genus illud caelestis huius in dicendo
viri sibi viderentur, si in clausula posuissent
esse videatur. Ergo primum est, ut quod
imitaturus est quisque intellegat et, quare bonum
sit, sciat.

Tum in suscipiendo onere consulat suas vires. 19
Nam quaedam sunt imitabilia, quibus aut infirmi-
tas naturae non sufficiat aut diversitas repugnet.
Ne, cui tenue ingenium erit, sola velit fortia et
abrupta, cui forte quidem, sed indomitum, amore
subtilitatis et vim suam perdat et elegantiam
quam cupit non adsequatur; nihil est enim tam
indecens, quam cum mollia dure fiunt. Atque 20
ego illi praeceptori, quem instituebam in libro
secundo, credidi non ea sola docenda esse, ad
quae quemque discipulorum natura compositum
videret; nam is et adiuvare debet, quae in quo-
que eorum invenit bona, et, quantum fieri potest,
adicere quae desunt et emendare quaedam et
mutare; rector enim est alienorum ingeniorum
atque formator. Difficilius est naturam suam
fingere. Sed ne ille quidem doctor, quamquam 21
omnia quae recta sunt velit esse in suis auditori-
bus quam plenissima, in eo tamen, cui naturam
obstare viderit, laborabit.

Id quoque vitandum, in quo magna pars errat,
ne in oratione poetas nobis et historicos, in illis
operibus oratores aut declamatores imitandos
putemus. Sua cuique proposita lex, suus cuique 22
decor est; nam nec comoedia cothurnis adsurgit,
nec contra tragoedia socco ingreditur. Habet
tamen omnis eloquentia aliquid commune; id
imitemur quod commune est. Etiam hoc solet 23
incommodi accidere iis, qui se uni alicui generi
dediderunt, ut, si asperitas iis placuit alicuius,
hanc etiam in leni ac remisso causarum genere
non exuant; si tenuitas ac iucunditas, in asperis
gravibusque causis ponderi rerum parum re-

spondeant: cum sit diversa non causarum modo inter ipsas condicio, sed in singulis etiam causis partium, sintque alia leniter alia aspere, alia concitate alia remisse, alia docendi alia movendi gratia dicenda; quorum omnium dissimilis atque
24 diversa inter se ratio est. Itaque ne hoc quidem suaserim, uni se alicui proprie, quem per omnia sequatur, addicere. Omnium perfectissimus Graecorum Demosthenes, aliquid tamen aliquo in loco melius alii, plurima ille. Sed non qui maxime imitandus, et solus imitandus est.
25 Quid ergo? non est satis omnia sic dicere, quomodo M. Tullius dixit? Mihi quidem satis esset, si omnia consequi possem. Quid tamen noceret vim Caesaris, asperitatem Caelii, diligentiam Pollionis, iudicium Calvi quibusdam in locis adsu-
26 mere? Nam praeter id quod prudentis est, quod in quoque optimum est, si possit, suum facere, tum in tanta rei difficultate unum intuentes vix aliqua pars sequitur. Ideoque cum totum exprimere quem elegeris paene sit homini inconcessum, plurium bona ponamus ante oculos, ut aliud ex alio haereat, et quod cuique loco conveniat aptemus.
27 Imitatio autem (nam saepius idem dicam) non sit tantum in verbis. Illuc intendenda mens, quantum fuerit illis viris decoris in rebus atque personis, quod consilium, quae dispositio, quam omnia, etiam quae delectationi videantur data, ad victoriam spectent; quid agatur prooemio, quae ratio et quam varia narrandi, quae vis probandi ac refellendi, quanta in adfectibus omnis generis movendis scientia, quamque laus ipsa popularis

utilitatis gratia adsumpta, quae tum est pulcherrima, cum sequitur, non cum arcessitur. Haec si perviderimus, tum vere imitabimur. Qui vero 28
etiam propria his bona adiecerit, ut suppleat quae deerant, circumcidat, si quid redundabit, is erit, quem quaerimus, perfectus orator; quem nunc consummari potissimum oportebat, cum tanto plura exempla bene dicendi supersunt, quam illis, qui adhuc summi sunt, contigerunt. Nam erit haec quoque laus eorum, ut priores superasse, posteros docuisse dicantur.

CAPUT III.

QUOMODO SCRIBENDUM.

III. Et haec quidem auxilia extrinsecus adhibentur; in iis quae nobis ipsis paranda sunt, ut laboris, sic utilitatis etiam longe plurimum adfert stilus. Nec immerito M. Tullius hunc optimum effectorem ac magistrum dicendi, vocavit; cui sententiae personam L. Crassi in disputationibus, quae sunt de oratore, adsignando, iudicium suum cum illius auctoritate coniunxit. Scribendum ergo quam diligentissime et quam 2
plurimum. Nam ut terra altius effossa generandis alendisque seminibus fecundior fit, sic profectus non a summo petitus studiorum fructus et fundit uberius et fidelius continet. Nam sine hac quidem conscientia ipsa illa ex tempore dicendi facultas inanem modo loquacitatem dabit et

3 verba in labris nascentia. Illic radices, illic fundamenta sunt, illic opes velut sanctiore quodam aerario conditae, unde ad subitos quoque casus, cum res exiget, proferantur. Vires faciamus ante omnia, quae sufficiant labori certaminum et
4 usu non exhauriantur. Nihil enim rerum ipsa natura voluit magnum effici cito praeposuitque pulcherrimo cuique operi difficultatem, quae nascendi quoque hanc fecerit legem, ut maiora animalia diutius visceribus parentis continerentur. Sed cum sit duplex quaestio, quomodo et quae maxime scribi oporteat, iam hinc ordinem sequar.

5 Sit primo vel tardus dum diligens stilus, quaeramus optima nec protinus offerentibus se gaudeamus, adhibeatur iudicium inventis, dispositio probatis. Delectus enim rerum verborumque agendus est et pondera singulorum examinanda. Post subeat ratio conlocandi versenturque omni modo numeri, non ut quodque se
6 proferet verbum occupet locum. Quae quidem ut diligentius exequamur, repetenda saepius erunt scriptorum proxima. Nam praeter id quod sic melius iunguntur prioribus sequentia, calor quoque ille cogitationis, qui scribendi mora refrixit, recipit ex integro vires et velut repetito spatio sumit impetum; quod in certamine saliendi fieri videmus, ut conatum longius petant et ad illud, quo contenditur, spatium cursu ferantur; utque in iaculando brachia reducimus et expulsu-
7 ri tela nervos retro tendimus. Interim tamen, si feret flatus, danda sunt vela, dum nos indulgentia illa non fallat; omnia enim nostra, dum nascun-

tur, placent; alioqui nec scriberentur. Sed redeamus ad iudicium et retractemus suspectam facilitatem. Sic scripsisse Sallustium accepimus, et 8
sane manifestus est etiam ex opere ipso labor. Vergilium quoque paucissimos die composuisse versus auctor est Varius. Oratoris quidem alia condicio est; itaque hanc moram et sollicitudi- 9
nem initiis impero. Nam primum hoc constituendum, hoc obtinendum est, ut quam optime scribamus; celeritatem dabit consuetudo. Paulatim res facilius se ostendent, verba respondebunt, compositio sequetur, cuncta denique ut in familia bene instituta in officio erunt. Summa haec est 10
rei: cito scribendo non fit, ut bene scribatur, bene scribendo fit, ut cito. Sed tum maxime, cum facultas illa contigerit, resistamus et provideamus et ferentis equos frenis quibusdam coerceamus; quod non tam moram faciet quam novos impetus dabit. Neque enim rursus eos, qui robur aliquod in stilo fecerint, ad infelicem calumniandi se poenam adligandos puto. Nam quomodo 11
sufficere officiis civilibus possit, qui singulis actionum partibus insenescat? Sunt autem quibus nihil sit satis; omnia mutare, omnia aliter dicere, quam occurrit, velint; increduli quidam et de ingenio suo pessime meriti, qui diligentiam putant facere sibi scribendi difficultatem. Nec 12
promptum est dicere, utros peccare validius putem, quibus omnia sua placent an quibus nihil. Accidit enim etiam ingeniosis adulescentibus frequenter, ut labore consumantur et in silentium usque descendant nimia bene dicendi cupiditate. Qua de re memini narrasse mihi Iulium Secun-

dum illum, aequalem meum atque a me, ut notum est, familiariter amatum, mirae facundiae virum, infinitae tamen curae, quid esset sibi a
13 patruo suo dictum. Is fuit Iulius Florus, in eloquentia Galliarum, quoniam ibi demum exercuit eam, princeps, alioqui inter paucos disertus et dignus illa propinquitate. Is cum Secundum, scholae adhuc operatum, tristem forte vidisset, interrogavit, quae causa frontis tam adductae?
14 Nec dissimulavit adulescens, tertium iam diem esse, quod omni labore materiae ad scribendum destinatae non inveniret exordium; quo sibi non praesens tantum dolor, sed etiam desperatio in posterum fieret. Tum Florus arridens, numquid tu, inquit, melius dicere vis quam
15 potes? Ita se res habet: curandum est, ut quam optime dicamus, dicendum tamen pro facultate; ad profectum enim opus est studio non indignatione. Ut possimus autem scribere etiam plura celerius, non exercitatio modo praestabit, in qua sine dubio multum est, sed etiam ratio; si non resupini spectantesque tectum et cogitationem murmure agitantes expectaverimus, quid obveniat, sed quid res poscat, quid personam deceat, quod sit tempus, qui iudicis animus, intuiti, humano quodam modo ad scribendum accesserimus. Sic nobis et initia et quae sequuntur na-
16 tura ipsa praescribit. Certa sunt enim pleraque et, nisi conniveamus, in oculos incurrunt; ideoque nec indocti nec rustici diu quaerunt, unde incipiant; quo pudendum est magis, si difficultatem facit doctrina. Non ergo semper putemus optimum esse quod latet; immutescamus alioqui,

si nihil dicendum videatur, nisi quod non invenimus. Diversum est huic eorum vitium, qui primo 17
decurrere per materiam stilo quam velocissimo volunt et sequentes calorem atque impetum ex tempore scribunt; hanc silvam vocant. Repetunt deinde et componunt quae effuderant; sed verba emendantur et numeri, manet in rebus temere congestis, quae fuit, levitas. Protinus ergo ad- 18
hibere curam rectius erit atque ab initio sic opus ducere, ut caelandum, non ex integro fabricandum sit. Aliquando tamen adfectus sequemur, in quibus fere plus calor quam diligentia valet.

Satis apparet ex eo, quod hanc scribentium 19
neglegentiam damno, quid de illis dictandi deliciis sentiam. Nam in stilo quidem quamlibet properato dat aliquam cogitationi moram non consequens celeritatem eius manus; ille cui dictamus urget, atque interim pudet etiam dubitare aut resistere aut mutare, quasi conscium infirmitatis nostrae timentis. Quo fit, ut non rudia 20
tantum et fortuita, sed impropria interim, dum sola est connectendi sermonis cupiditas, effluant, quae nec scribentium curam nec dicentium impetum consequantur. At idem ille, qui excipit, si tardior in scribendo aut incertior in legendo velut offensator fuit, inhibetur cursus, atque omnis, quae erat, conceptae mentis intentio mora et interdum iracundia excutitur. Tum illa, quae 21
altiorem animi motum sequuntur quaeque ipsa animum quodammodo concitant, quorum est iactare manum, torquere vultum, femur et latus interim obiurgare, quaeque Persius notat, cum leviter dicendi genus significat,

nec pluteum, inquit, caedit nec demorsos sapit unguis,

22 etiam ridicula sunt, nisi cum soli sumus. Denique ut semel quod est potentissimum dicam, secretum in dictando perit. Atque liberum arbitris locum et quam altissimum silentium scribentibus maxime convenire nemo dubitaverit. Non tamen protinus audiendi, qui credunt aptissima in hoc nemora silvasque, quod illa caeli libertas locorumque amoenitas sublimem ani-
23 mum et beatiorem spiritum parent. Mihi certe iucundus hic magis quam studiorum hortator videtur esse secessus. Namque illa, quae ipsa delectant, necesse est avocent ab intentione operis destinati. Neque enim se bona fide in multa simul intendere animus totum potest, et quocumque respexit, desinit intueri quod propositum
24 erat. Quare silvarum amoenitas et praeterlabentia flumina et inspirantes ramis arborum aurae volucrumque cantus et ipsa late circumspiciendi libertas ad se trahunt; ut mihi remittere potius voluptas ista videatur cogitationem
25 quam intendere. Demosthenes melius, qui se in locum, ex quo nulla exaudiri vox et ex quo nihil prospici posset, recondebat, ne aliud agere mentem cogerent oculi. Ideoque lucubrantes silentium noctis et clausum cubiculum et lumen unum
26 velut tectos maxime teneat. Sed cum in omni studiorum genere, tum in hoc praecipue bona valetudo, quaeque eam maxime praestat, frugalitas, necessaria est, cum tempora ab ipsa rerum natura ad quietem refectionemque nobis data in acerrimum laborem convertimus. Cui tamen

non plus inrogandum est quam quod somno supererit, haud deerit. Obstat enim diligentiae 27
scribendi etiam fatigatio, et abunde, si vacet, lucis spatia sufficiunt; occupatos in noctem necessitas agit. Est tamen lucubratio, quotiens ad eam integri ac refecti venimus, optimum secreti genus.

Sed silentium et secessus et undique liber ani- 28
mus ut sunt maxime optanda, ita non semper possunt contingere, ideoque non statim, si quid obstrepet, abiciendi codices erunt et deplorandus dies; verum incommodis repugnandum et hic faciendus usus, ut omnia quae impedient vincat intentio; quam si tota mente in opus ipsum direxeris, nihil eorum, quae oculis vel auribus incursant, ad animum perveniet. An vero fre- 29
quenter etiam fortuita hoc cogitatio praestat, ut obvios non videamus et itinere deerremus: non consequemur idem, si et voluerimus? Non est indulgendum causis desidiae. Nam si nonnisi refecti, nonnisi hilares, nonnisi omnibus aliis curis vacantes studendum existimarimus, semper erit propter quod nobis ignoscamus. Quare in turba, 30
itinere, conviviis etiam faciat sibi cogitatio ipsa secretum. Quid alioqui fiet, cum in medio foro, tot circumstantibus iudiciis, iurgiis, fortuitis etiam clamoribus, erit subito continua oratione dicendum, si particulas, quas ceris mandamus, nisi in solitudine reperire non possumus? Propter quae idem ille tantus amator secreti Demosthenes in litore, in quo se maximo cum sono fluctus inlideret, meditans consuescebat contionum fremitus non expavescere.

31 Illa quoque minora (sed nihil in studiis parvum est) non sunt transeunda: scribi optime ceris, in quibus facillima est ratio delendi; nisi forte visus infirmior membranarum potius usum exiget, quae ut iuvant aciem, ita crebra relatione, quoad intinguitur, calami morantur manum et
32 cogitationis impetum frangunt. Relinquendae autem in utrolibet genere contra erunt vacuae tabellae, in quibus libera adiciendo sit excursio. Nam interim pigritiam emendandi angustiae faciunt aut certe novorum interpositione priora confundant. Ne latas quidem ultra modum esse ceras velim, expertus iuvenem, studiosum alioqui, praelongos habuisse sermones, quia illos numero versuum metiebatur, idque vitium, quod frequenti admonitione corrigi non potuerat, mu-
33 tatis codicibus esse sublatum. Debet vacare etiam locus, in quo notentur quae scribentibus solent extra ordinem, id est ex aliis, quam qui sunt in manibus loci, occurrere. Inrumpunt enim optimi nonnumquam sensus, quos neque inserere oportet neque differre tutum est, quia interim elabuntur, interim memoriae sui intentos ab alia inventione declinant ideoque optime sunt in deposito.

CAPUT IV.

QUOMODO EMENDANDUM.

IV. Sequitur emendatio, pars studiorum longe utilissima; neque enim sine causa credi-

tum est stilum non minus agere, cum delet. Huius autem operis est adicere, detrahere, mutare. Sed facilius in iis simpliciusque iudicium, quae replenda vel deicienda sunt; premere vero tumentia, humilia extollere, luxuriantia astringere, inordinata digerere, soluta componere, exultantia coercere, duplicis operae; nam et dam- 2
nanda sunt quae placuerant, et invenienda quae fugerant. Nec dubium est optimum esse emendandi genus, si scripta in aliquod tempus reponantur, ut ad ea post intervallum velut nova atque aliena redeamus, ne nobis scripta nostra tamquam recentes fetus blandiantur. Sed neque 3
hoc contingere semper potest praesertim oratori, cui saepius scribere ad praesentis usus necesse est; et emendatio ipsa finem habeat. Sunt enim qui ad omnia scripta tamquam vitiosa redeant et, quasi nihil fas sit rectum esse quod primum est, melius existiment quidquid est aliud, idque faciant, quotiens librum in manus resumpserunt, similes medicis etiam integra secantibus. Accidit itaque, ut cicatricosa sint et exsanguia et cura peiora. Sit ergo aliquando quod placeat aut 4
certe quod sufficiat, ut opus poliat lima, non exterat. Temporis quoque esse debet modus. Nam quod Cinnae Smyrnam novem annis accepimus scriptam, et Panegyricum Isocratis, qui parcissime, decem annis dicunt elaboratum, ad oratorem nihil pertinet, cuius nullum erit, si tam tardum fuerit, auxilium.

CAPUT V.

QUAE SCRIBENDA MAXIME.

V. Proximum est, ut dicamus, quae praecipue scribenda sint. Non est huius quidem operis, ut explicemus, quae sint materiae; quae prima aut secunda aut deinceps tractanda sint; nam id factum est etiam primo libro, quo puerorum, et secundo, quo robustorum studiis ordinem dedimus; sed, de quo nunc agitur, unde copia ac facilitas maxime veniat.

2 Vertere Graeca in Latinum veteres nostri oratores optimum iudicabant. Id se L. Crassus in illis Ciceronis de Oratore libris dicit factitasse; id Cicero sua ipse persona frequentissime praecipit, quin etiam libros Platonis atque Xenophontis edidit hoc genere translatos; id Messalae placuit, multaeque sunt ab eo scriptae ad hunc modum orationes, adeo ut etiam cum illa Hyperidis pro Phryne difficillima Romanis sub-
3 tilitate contenderet. Et manifesta est exercitationis huiusce ratio. Nam et rerum copia Graeci auctores abundant et plurimum artis in eloquentiam intulerunt, et hos transferentibus verbis uti optimis licet; omnibus enim utimur nostris. Figuras vero, quibus maxime ornatur oratio, multas ac varias excogitandi etiam necessitas quaedam est, quia plerumque a Graecis Romana dissentiunt.

4 Sed et illa ex Latinis conversio multum et ipsa contulerit. Ac de carminibus quidem

neminem credo dubitare, quo solo genere exercitationis dicitur usus esse Sulpicius. Nam et sublimis spiritus attollere orationem potest, et verba poetica libertate audaciora non praesumunt eadem proprie dicendi facultatem. Sed et ipsis sententiis adicere licet oratorium robur et omissa supplere, effusa substringere. Neque ego para- 5
phrasim esse interpretationem tantum volo, sed circa eosdem sensus certamen atque aemulationem. Ideoque ab illis dissentio, qui vertere orationes Latinas vetant, quia optimis occupatis, quidquid aliter dixerimus, necesse sit esse deterius. Nam neque semper est desperandum, aliquid illis, quae dicta sunt, melius posse reperiri, neque adeo ieiunam ac pauperem natura eloquentiam fecit, ut una de re bene dici nisi semel non possit. Nisi forte histrionum multa circa voces easdem 6
variare gestus potest, orandi minor vis, ut dicatur aliquid, post quod in eadem materia nihil dicendum sit. Sed esto, neque melius quod invenimus esse neque par, est certe proximis locus. An vero 7
ipsi non bis ac saepius de eadem re dicimus et quidem continuas nonnumquam sententias? Nisi forte contendere nobiscum possumus, cum aliis non possumus. Nam si uno genere bene diceretur, fas erat existimari praeclusam nobis a prioribus viam; nunc vero innumerabiles sunt modi plurimaeque eodem viae ducunt. Sua brevitati 8
gratia, sua copiae; alia translatis virtus, alia propriis; hoc oratio recta, illud figura declinata commendat. Ipsa denique utilissima est exercitationi difficultas. Quid, quod auctores maximi sic diligentius cognoscuntur? Non enim scripta

lectione secura transcurrimus, sed tractamus singula et necessario introspicimus et, quantum virtutis habeant, vel hoc ipso cognoscimus, quod imitari non possumus.

9 Nec aliena tantum transferre, sed etiam nostra pluribus modis tractare proderit: ut ex industria sumamus sententias quasdam easque versemus quam numerosissime, velut eadem cera aliae
10 aliaeque formae duci solent. Plurimum autem parari facultatis existimo ex simplicissima quaque materia. Nam illa multiplici personarum, causarum, temporum, locorum, dictorum, factorum diversitate facile delitescet infirmitas, tot se undique rebus, ex quibus aliquam apprehendas,
11 offerentibus. Illud virtutis iudicium est, fundere quae natura contracta sunt, augere parva, varietatem similibus, voluptatem expositis dare, et bene dicere multa de paucis.

In hoc optime facient infinitae quaestiones, quas vocari thesis diximus, quibus Cicero
12 iam princeps in re publica exerceri solebat. His confinis est destructio et confirmatio sententiarum. Nam cum sit sententia decretum quoddam atque praeceptum, quod de re, idem de iudicio rei quaeri potest. Tum loci communes, quos etiam scriptos ab oratoribus scimus. Nam qui haec recta tantum et in nullos flexus recedentia copiose tractaverit, utique in illis plures excursus recipientibus magis abundabit erit-
13 que in omnis causas paratus. Omnes enim generalibus quaestionibus constant. Nam quid interest 'Cornelius tribunus plebis, quod codicem legerit, reus sit,' an quaeramus: 'violeturne maies-

tas, si magistratus rogationem suam populo ipse recitaverit?' 'Milo Clodium rectene occiderit,' veniat in iudicium, an, 'oporteatne insidiatorem interfici vel perniciosum rei publicae civem, etiamsi non insidietur?' 'Cato Marciam honestene tradiderit Hortensio,' an, 'conveniatne res talis bono viro?' De personis iudicatur, sed de rebus contenditur.

Declamationes vero, quales in scholis rhe- 14
torum dicuntur, si modo sunt ad veritatem accommodatae et orationibus similes, non tantum dum adolescit iuvenis sunt utilissimae, quia inventionem et dispositionem pariter exercent, sed etiam cum est consummatus ac iam in foro clarus. Alitur enim atque enitescit velut pabulo laetiore facundia et assidua contentionum asperitate fatigata renovatur. Quapropter historiae non- 15
numquam ubertas in aliqua exercendi stili parte ponenda et dialogorum libertate gestiendum. Ne carmine quidem ludere contrarium fuerit; sicut athletae, remissa quibusdam temporibus ciborum atque exercitationum certa necessitate, otio et iucundioribus epulis reficiuntur. Ideoque 16
mihi videtur M. Tullius tantum intulisse eloquentiae lumen, quod in hos quoque studiorum secessus excurrit. Nam si nobis sola materia fuerit ex litibus, necesse est deteratur fulgor et durescat articulus et ipse ille mucro ingenii cotidiana pugna retundatur.

Sed quemadmodum forensibus certaminibus 17
exercitatos et quasi militantis reficit ac reparat haec velut sagina dicendi, sic adulescentes non debent nimium in falsa rerum imagine detineri et

inanibus se simulacris usque adeo, ut difficilis ab his digressus sit, adsuefacere, ne ab illa, in qua prope consenuerunt, umbra vera discrimina velut
18 quendam solem reformident. Quod accidisse etiam Porcio Latroni, qui primus clari nominis professor fuit, traditur, ut, cum ei summam in scholis opinionem obtinenti causa in foro esset oranda, impense petierit, uti subsellia in basilicam transferrentur. Ita illi caelum novum fuit, ut omnis eius eloquentia contineri tecto ac parietibus vide-
19 retur. Quare iuvenis, qui rationem inveniendi eloquendique a praeceptoribus diligenter acceperit (quod non est infiniti operis, si docere sciant et velint), exercitationem quoque modicam fuerit consecutus, oratorem sibi aliquem, quod apud maiores fieri solebat, deligat, quem sequatur, quem imitetur; iudiciis intersit quam plurimis et sit certaminis, cui destinatur, frequens specta-
20 tor. Tum causas vel easdem, quas agi audierit, stilo et ipse componat, vel etiam alias, veras modo, et utrimque tractet, et, quod in gladiatoribus fieri videmus, decretoriis exerceatur, ut fecisse Brutum diximus pro Milone. Melius hoc quam rescribere veteribus orationibus, ut fecit Cestius contra Ciceronis actionem habitam pro eodem, cum alteram partem satis nosse non posset ex sola defensione.

21 Citius autem idoneus erit iuvenis, quem praeceptor coegerit in declamando quam simillimum esse veritati et per totas ire materias, quarum nunc facillima aut maxime favorabilia decerpunt. Obstant huic, quod secundo loco posui, fere turba discipulorum et consuetudo classium certis diebus

audiendarum, nonnihil etiam persuasio patrum numerantium potius declamationes quam aestimantium. Sed, quod dixi primo, ut arbitror, 22
libro, nec ille se bonus praeceptor maiore numero quam sustinere possit onerabit, et inanem loquacitatem recidet, ut omnia quae sunt in controversia, non, ut quidem volunt, quae in rerum natura, dicantur; et vel longiore potius dierum spatio laxabit dicendi necessitatem vel materias dividere permittet. Una enim diligenter effecta 23
plus proderit quam plures inchoatae et quasi degustatae. Propter quod accidit, ut nec suo loco quidque ponatur, nec illa quae prima sunt servent suam legem, iuvenibus flosculos omnium partium in ea quae sunt dicturi congerentibus; quo fit, ut timentes, ne sequentia perdant, priora confundant.

CAPUT VI.

DE COGITATIONE.

VI. Proxima stilo cogitatio est, quae et ipsa vires ab hoc accipit, estque inter scribendi laborem extemporalemque fortunam media quaedam et nescio an usus frequentissimi. Nam scribere non ubique nec semper possumus, cogitationi temporis ac loci plurimum est. Haec paucis admodum horis magnas etiam causas complectitur, haec, quotiens intermissus est somnus, ipsis noctis tenebris adiuvatur, haec inter medios rerum actus aliquid invenit vacui nec otium patitur.

2 Neque vero rerum ordinem modo, quod ipsum satis erat, intra se ipsa disponit, sed verba etiam copulat totamque ita contexit orationem, ut ei nihil praeter manum desit; nam memoriae quoque plerumque inhaerent fidelius, quae nulla scribendi securitate laxantur.

Sed ne ad hanc quidem vim cogitandi perve-
3 niri potest aut subito aut cito. Nam primum facienda multo stilo forma est, quae nos etiam cogitantis sequatur; tum adsumendus usus paulatim, ut pauca primum complectamur animo, quae reddi fideliter possint; mox per incrementa tam modica, ut onerari se labor ille non sentiat, augenda vis et exercitatione multa continenda est, quae quidem maxima ex parte memoria constat; ideoque aliqua mihi in illum locum diffe-
4 renda sunt. Eo tamen pervenit, ut is, cui non refragetur ingenium, acri studio adiutus tantum consequatur, ut ei tam quae cogitarit quam quae scripserit atque edidicerit in dicendo fidem servent. Cicero certe Graecorum Metrodorum Scepsium et Empylum Rhodium nostrorumque Hortensium tradidit, quae cogitaverant, ad verbum in agendo rettulisse.

5 Sed si forte aliquis inter dicendum offulserit extemporalis color, non superstitiose cogitatis demum est inhaerendum. Neque enim tantum habent curae, ut non sit dandus et fortunae locus, cum saepe etiam scriptis ea quae subito nata sunt inserantur. Ideoque totum hoc exercitationis genus ita instituendum est, ut et digredi ex eo et
6 regredi in id facile possimus. Nam ut primum est domo adferre paratam dicendi copiam et cer-

tam, ita refutare temporis munera longe stultissimum est. Quare cogitatio in hoc praeparetur, ut nos fortuna decipere non possit, adiuvare possit. Id autem fiet memoriae viribus, ut illa, quae complexi animo sumus, fluant secura; non sollicitos et respicientes et una spe suspensos recordationis non sinant providere. Alioqui vel extemporalem temeritatem malo quam male cohaerentem cogitationem. Peius enim quaeritur retrorsus, quia, 7
dum illa desideramus, ab aliis avertimur, et ex memoria potius res petimus quam ex materia. Plura sunt autem, si utrumque quaerendum est, quae inveniri possunt quam quae inventa sunt.

CAPUT VII.

QUEMADMODUM EXTEMPORALIS FACILITAS PARETUR ET CONTINEATUR.

VII. Maximus vero studiorum fructus est et velut praemium quoddam amplissimum longi laboris extempore dicendi facultas, quam qui non erit consecutus, mea quidem sententia, civilibus officiis renuntiabit et solam scribendi facultatem potius ad alia opera convertet. Vix enim bonae fidei viro convenit auxilium in publicum polliceri, quod praesentissimis quibusque periculis desit; intrare portum ad quem navis accedere nonnisi lenibus ventis vecta possit; si- 2
quidem innumerabiles accidunt subitae necessi-

tates vel apud magistratus vel repraesentatis iudiciis continuo agendi. Quarum si qua, non dico cuicumque innocentium civium, sed amicorum ac propinquorum alicui evenerit, stabitne mutus et salutarem petentibus vocem statimque, si non succurratur, perituris moras et secessum et silentium quaeret, dum illa verba fabricentur et memoriae insidant et vox ac latus praeparetur?
3 Quae vero patitur hoc oratio, ut quisquam possit orator omittere casus? Quid, cum adversario respondendum erit, fiet? Nam saepe ea, quae opinati sumus, et contra quae scripsimus, fallunt, ac tota subito causa mutatur; atque ut gubernatori ad incursus tempestatum, sic agenti ad varie-
4 tatem causarum ratio mutanda est. Quid porro multus stilus et adsidua lectio et longa studiorum aetas facit, si manet eadem quae fuit incipientibus difficultas? Periisse profecto confitendum est praeteritum laborem, cui semper idem laborandum est. Neque ego hoc ago, ut ex tempore dicere malit, sed ut possit. Id autem maxime hoc modo consequemur.

5 Nota sit primum dicendi via; neque enim prius contingere cursus potest quam scierimus, quo sit et qua perveniendum. Nec satis est non ignorare quae sint causarum iudicialium partes, aut quaestionum ordinem recte disponere, quamquam ista sint praecipua; sed quid quoque loco primum sit ac secundum et deinceps; quae ita sunt natura copulata, ut mutari aut intervelli
6 sine confusione non possint. Quisquis autem via dicet, ducetur ante omnia rerum ipsa serie velut

duce; propter quod homines etiam modice exercitati facillime tenorem in narrationibus servant. Deinde, quid quoque loco quaerant, scient, nec circumspectabunt nec offerentibus se aliunde sensibus turbabuntur nec confundent ex diversis orationem velut salientes huc illuc nec usquam insistentes. Postremo habebunt modum et finem, 7
qui esse citra divisionem nullus potest. Expletis pro facultate omnibus, quae proposuerint, pervenisse se ad ultimum sentient.

Et haec quidem ex arte, illa vero ex studio: ut copiam sermonis optimi, quemadmodum praeceptum est comparemus; multo ac fideli stilo sic formetur oratio, ut scriptorum colorem etiam quae subito effusa sint reddant; ut, cum multa scripserimus, etiam multa dicamus. Nam con- 8
suetudo et exercitatio facilitatem maxime parit; quae si paululum intermissa fuerit, non velocitas illa modo tardatur, sed ipsum os quoque concurrit. Quamquam enim opus est naturali quadam mobilitate animi, ut, dum proxima dicimus, struere ulteriora possimus, semperque nostram vocem provisa et formata cogitatio excipiat, vix tamen 9
aut natura aut ratio in tam multiplex officium diducere animum queat, ut inventioni, dispositioni, elocutioni, ordini rerum verborumque, tum iis, quae dicit, quae subiuncturus est, quae ultra spectanda sunt, adhibita vocis, pronuntiationis, gestus observatione, simul sufficiat. Longe enim 10
praecedat oportet intentio ac prae se res agat, quantumque dicendo consumitur, tantum ex ultimo prorogetur, ut, donec perveniamus ad finem,

non minus prospectu procedamus quam gradu, si non intersistentes offensantesque brevia illa atque concisa singultantium modo eiecturi sumus.

11 Est igitur usus quidam inrationalis, quem Graeci ἄλογον τριβήν vocant, qua manus in scribendo decurrit, qua oculi totos simul in lectione versus flexusque eorum et transitus intuentur, et ante sequentia vident quam priora dixerunt. Quo constant miracula illa in scaenis pilariorum ac ventilatorum, ut ea quae emiserint ultro venire in manus credas et qua iubentur decurrere.

12 Sed hic usus ita proderit, si ea de qua locuti sumus ars antecesserit, ut ipsum illud, quod in se rationem non habet, in ratione versetur. Nam mihi ne dicere quidem videtur nisi qui disposite,

13 ornate, copiose dicit, sed tumultuari. Nec fortuiti sermonis contextum mirabor umquam, quem iurgantibus etiam mulierculis superfluere video; cum eo quod, si calor ac spiritus tulit, frequenter accidit, ut successum extemporalem consequi

14 cura non possit. Deum tunc adfuisse, cum id evenisset, veteres oratores, ut Cicero dicit, dictitabant. Sed ratio manifesta est. Nam bene concepti adfectus et recentes rerum imagines continuo impetu feruntur, quae nonnumquam mora stili refrigescunt et dilatae non revertuntur. Utique vero, cum infelix illa verborum cavillatio accessit et cursus ad singula vestigia restitit, non potest ferri contorta vis, sed, ut optime vocum singularum cedat electio, non continua, sed composita est.

15 Quare capiendae sunt illae, de quibus dixi, rerum imagines, quas vocari φαντασίας indicavimus, omniaque, de quibus dicturi erimus, personae, quaestiones, spes, metus habenda in oculis, in adfectus recipienda; pectus est enim, quod disertos facit, et vis mentis. Ideoque imperitis quoque, si modo sint aliquo adfectu concitati, verba non desunt. Tum intendendus animus, 16 non in aliquam rem unam, sed in plures simul continuas; ut, si per aliquam rectam viam mittamus oculos, simul omnia quae sunt in ea circaque intuemur, non ultimum tantum videmus, sed usque ad ultimum. Addit ad dicendum etiam pudor stimulos, mirumque videri potest, quod, cum stilus secreto gaudeat atque omnis arbitros reformidet, extemporalis actio auditorum frequentia, ut miles congestu signorum, excitatur. Nam- 17 que et difficiliorem cogitationem exprimit et expellit dicendi necessitas, et secundos impetus auget placendi cupido. Adeo pretium omnia spectant, ut eloquentia quoque, quamquam plurimum habeat in se voluptatis, maxime tamen praesenti fructu laudis opinionisque ducatur.

Nec quisquam tantum fidat ingenio, ut id sibi 18 speret incipienti statim posse contingere; sed, sicut in cogitatione praecipimus, ita facilitatem quoque extemporalem a parvis initiis paulatim perducemus ad summam, quae neque perfici neque contineri nisi usu potest. Ceterum pervenire 19 eo debet, ut cogitatio non utique melior sit ea, sed tutior; cum hanc facilitatem non in prosa modo multi sint consecuti, sed etiam in carmine, ut Antipater Sidonius et Licinius Archias; credendum enim Ciceroni est; non quia nostris quoque temporibus non et fecerint quidam hoc et faciant.

Quod tamen non ipsum tam probabile puto, (neque enim habet aut usum res aut necessitatem) quam exhortandis in hanc spem, qui foro prae-
20 parantur, utile exemplum. Neque vero tanta sit umquam fiducia facilitatis, ut non breve saltem tempus, quod nusquam fere deerit, ad ea quae dicturi sumus dispicienda sumamus: quod in iudiciis ac foro datur semper; neque enim quisquam est, qui causam quam non didicerit agat.
21 Declamatores quosdam perversa ducit ambitio, ut, exposita controversia, protinus dicere velint, quin etiam, quod est in primis frivolum ac scaenicum, verbum petant, quo incipiant. Sed tam contumeliosos in se ridet invicem eloquentia, et qui stultis videri eruditi volunt, stulti eruditis
22 iudicantur. Si qua tamen fortuna tam subitam fecerit agendi necessitatem, mobiliore quodam opus erit ingenio, et vis omnis intendenda rebus, et in praesentia remittendum aliquid ex cura verborum, si consequi utrumque non dabitur. Tum et tardior pronuntiatio moras habet et suspensa ac velut dubitans oratio, ut tamen deliberare, non
23 haesitare videamur. Hoc, dum egredimur e portu, si nos, nondum aptatis satis armamentis, aget ventus; deinde paulatim simul euntes aptabimus vela et disponemus rudentes et impleri sinus optabimus. Id potius, quam se inani verborum torrenti dare quasi tempestatibus, quo volent, auferendum.
24 Sed non minore studio continetur haec facultas quam paratur; ars enim semel percepta non labitur, stilus quoque intermissione paululum admodum de celeritate deperdit; promptum hoc

et in expedito positum exercitatione sola continetur. Hac uti sic optimum est, ut cotidie dicamus audientibus pluribus, maxime de quorum simus iudicio atque opinione solliciti; rarum est enim, ut satis se quisque vereatur. Vel soli tamen dicamus potius quam omnino non dicamus.
Est et illa exercitatio cogitandi totasque materias 25
vel silentio (dum tamen quasi dicat intra se ipsum) persequendi, quae nullo non et tempore et loco, quando non aliud agimus, explicari potest,
et est in parte utilior quam haec proxima; dili- 26
gentius enim componitur quam illa, in qua contextum dicendi intermittere veremur. Rursus in alia plus prior confert, vocis firmitatem, oris facilitatem, motum corporis, qui et ipse, ut dixi, excitat oratorem et iactatione manus, pedis supplosione, sicut cauda leones facere dicuntur, hortatur. Studendum vero semper et ubique. Ne- 27
que enim fere tam est ullus dies occupatus, ut nihil lucrativae, ut Cicero Brutum facere tradit, operae ad scribendum aut legendum aut dicendum rapi aliquo momento temporis possit; siquidem C. Carbo etiam in tabernaculo solebat hac uti exercitatione dicendi. Ne id quidem tacen- 28
dum est, quod eidem Ciceroni placet, nullum nostrum usquam neglegentem esse sermonem; quidquid loquemur ubicumque, sit pro sua scilicet portione perfectum. Scribendum certe numquam est magis, quam cum multa dicemus ex tempore. Ita enim servabitur pondus, et innatans illa verborum facilitas in altum reducetur; sicut rustici proximas vitis radices amputant, quae illam in summum solum ducunt, ut inferiores

29 penitus descendendo firmentur. Ac nescio an, si utrumque cum cura et studio fecerimus, invicem prosit, ut scribendo dicamus diligentius, dicendo scribamus facilius. Scribendum ergo, quotiens licebit; si id non dabitur, cogitandum; ab utroque exclusi debent tamen id efficere, ut neque deprensus orator neque litigator destitutus esse videatur.

30 Plerumque autem multa agentibus accidit, ut maxime necessaria et utique initia scribant, cetera quae domo adferunt cogitatione complectantur, subitis ex tempore occurrant; quod fecisse M. Tullium commentariis ipsius apparet. Sed feruntur aliorum quoque et inventi forte, ut eos dicturus quisque composuerat, et in libros digesti, ut causarum, quae sunt actae a Servio Sulpicio, cuius tres orationes extant; sed hi de quibus loquor commentarii ita sunt exacti, ut ab ipso mihi in memoriam posteritatis videantur esse compositi.

31 Nam Ciceronis ad praesens modo tempus aptatos libertus Tiro contraxit; quos non ideo excuso, quia non probem, sed ut sint magis admirabiles. In hoc genere prorsus recipio hanc brevem adnotationem libellosque, qui vel manu teneantur, et

32 ad quos interim respicere fas sit. Illud quod Laenas praecipit displicet mihi, vel in his quae scripserimus summas in commentarium et capita conferre. Facit enim ediscendi neglegentiam haec ipsa fiducia et lacerat ac deformat orationem. Ego autem ne scribendum quidem puto, quod non simus memoria persecuturi. Nam id quoque accidit, ut revocet nos cogitatio ad illa elaborata nec sinat praesentem fortunam experiri.

Sic anceps inter utrumque animus aestuat, cum 33
et scripta perdidit et non quaerit nova. Sed de memoria destinatus est libro proximo locus nec huic parti subiungendus, quia sunt alia prius nobis dicenda.

M. FABII QUINTILIANI

INSTITUTIONIS ORATORIAE

LIBER DUODECIMUS.

QUALIS A SCHOLIS DIMISSI DEBEAT ORATORIS ESSE VITA.

PROOEMIUM.

VENTUM est ad partem operis destinati longe gravissimam. Cuius equidem onus si tantum opinione prima concipere potuissem, quanto me premi ferens sentio, maturius consuluissem vires meas. Sed initio pudor omittendi, quae promiseram, tenuit; mox, quamquam per singulas prope partis labor cresceret, ne perderem, quae iam effecta erant, per omnis difficultates animo me
2 sustentavi. Quare nunc quoque, licet maior quam umquam moles premat, tamen prospicienti finem mihi constitutum est vel deficere potius quam desperare. Fefellit autem, quod initium a parvis ceperamus; mox velut aura solicitante provecti longius, dum tamen nota illa et plerisque artium scriptoribus tractata praecipimus, nec adhuc a litore procul videbamur et multos circa velut iisdem se ventis credere ausos habe-

bamus. Iam cum eloquendi rationem novissime 3
repertam paucissimisque temptatam ingressi sumus, rarus qui tam procul a portu recessisset, reperiebatur. Postquam vero nobis ille, quem instituebamus, orator a dicendi magistris dimissus aut suo iam impetu fertur, aut maiora sibi auxilia ex ipsis sapientiae penetralibus petit, quam in altum simus ablati, sentire coepimus. Nunc caelum undique et undique pon- 4
tus. Unum modo in illa immensa vastitate cernere videmur M. Tullium, qui tamen ipse, quamvis tanta atque ita instructa nave hoc mare ingressus, contrahit vela inhibetque remos et de ipso demum genere dicendi, quo sit usurus perfectus orator, satis habet dicere. At nostra temeritas etiam mores ei conabitur dare et adsignabit officia. Ita nec antecedentem consequi possumus, et longius eundum est, ut res feret. Probabilis tamen cupiditas honestorum et velut tutioris audentiae est temptare, quibus paratior venia est.

CAPUT I.

NON POSSE ORATOREM ESSE NISI VIRUM BONUM.

I. Sit ergo nobis orator, quem constituimus, is, qui a M. Catone finitur, vir bonus dicendi peritus; verum, id quod et ille posuit prius, et ipsa natura potius ac maius est, utique vir bonus: id non eo tantum, quod, si vis illa dicendi malitiam instruxerit, nihil sit publicis privatis-

que rebus perniciosius eloquentia, nosque ipsi, qui pro virili parte conferre aliquid ad facultatem dicendi conati sumus, pessime mereamur de rebus humanis, si latroni comparamus haec arma, non
2 militi. Quid de nobis loquor? Rerum ipsa natura in eo, quod praecipue indulsisse homini videtur, quoque nos a ceteris animalibus separasse, non parens, sed noverca fuerit, si facultatem dicendi, sociam scelerum, adversam innocentiae, hostem veritatis invenit. Mutos enim nasci et egere omni ratione satius fuisset, quam providentiae munera in mutuam perniciem convertere.
3 Longius tendit hoc iudicium meum; neque enim tantum id dico, eum, qui sit orator, virum bonum esse oportere, sed ne futurum quidem oratorem nisi virum bonum. Nam certe neque intellegentiam concesseris iis, qui, proposita honestorum ac turpium via, peiorem sequi malent, neque prudentiam; cum in gravissimas frequenter legum, semper vero malae conscientiae poenas a semet ipsis improviso rerum exitu induantur.
4 Quodsi neminem malum esse nisi stultum eundem, non modo sapientibus dicitur, sed vulgo quoque semper est creditum, certe non fiet umquam stultus orator. Adde quod ne studio quidem operis pulcherrimi vacare mens, nisi omnibus vitiis libera, potest: primum quod in eodem pectore nullum est honestorum turpiumque consortium, et cogitare optima simul ac deterrima non magis est unius animi, quam eiusdem homi-
5 nis bonum esse ac malum; tum illa quoque ex causa, quod mentem tantae rei intentam vacare omnibus aliis etiam culpa carentibus curis oportet. Ita demum enim libera ac tota, nulla distringente atque alio ducente causa, spectabit id solum, ad quod accingitur. Quodsi agrorum nimia 6
cura et sollicitior rei familiaris diligentia et venandi voluptas et dati spectaculis dies multum studiis auferunt (huic enim rei perit tempus, quodcumque alteri datur), quid putamus facturas cupiditatem, avaritiam, invidiam, quarum impotentissimae cogitationes somnos etiam ipsos et illa per quietem visa perturbant? Nihil est enim 7
tam occupatum, tam multiforme, tot ac tam variis adfectibus concisum atque laceratum quam mala mens. Nam et cum insidiatur, spe, curis, labore distringitur, et etiam cum sceleris compos fuit, sollicitudine, paenitentia, poenarum omnium expectatione torquetur. Quis inter haec litteris aut ulli bonae arti locus? Non hercule magis quam frugibus in terra sentibus ac rubis occupata.

Age, non ad perferendos studiorum labores 8
necessaria frugalitas? Quid igitur ex libidine ac luxuria spei? —Non praecipue acuit ad cupiditatem litterarum amor laudis? Num igitur malis esse laudem curae putamus? —Iam hoc quis non videt, maximam partem orationis in tractatu aequi bonique consistere? Dicetne de his secundum debitam rerum dignitatem malus atque iniquus.

Denique, ut maximam partem quaestionis exi- 9
mam, demus, id quod nullo modo fieri potest, idem ingenii, studii, doctrinae, pessimo atque optimo viro: uter melior dicetur orator? Nimirum qui homo quoque melior. Non igitur umquam

10 malus idem homo et perfectus orator. Non enim perfectum est quidquam, quo melius est aliud. Sed, ne more Socraticorum nobismet ipsi responsum finxisse videamur, sit aliquis adeo contra veritatem obstinatus, ut audeat dicere, eodem ingenio, studio, doctrina praeditum nihilo deteriorem futurum oratorem malum virum quam bonum: convincamus huius quoque amentiam.
11 Nam hoc certe nemo dubitabit, omnem orationem id agere, ut iudici, quae proposita fuerint, vera et honesta videantur. Utrum igitur hoc facilius bonus vir persuadebit an malus? Bonus quidem et dicet saepius vera atque honesta.
12 Sed etiam si quando aliquo ductus officio (quod accidere, ut mox docebimus, potest) falso haec adfirmare conabitur, maiore cum fide necesse est audiatur. At malis hominibus ex contemptu opinionis et ignorantia recti nonnumquam excidit ipsa simulatio; inde immodeste proponunt,
13 sine pudore adfirmant. Sequitur in iis, quae certum est effici non posse, deformis pertinacia et irritus labor; nam sicut in vita, in causis quoque, spes improbas habent. Frequenter autem accidit, ut iis etiam vera dicentibus fides desit, videaturque talis advocatus malae causae argumentum.
14 Nunc de iis dicendum est, quae mihi quasi conspiratione quadam vulgi reclamari videntur. Orator ergo Demosthenes non fuit? atqui malum virum accepimus. Non Cicero? atqui huius quoque mores multi reprehenderunt. Quid agam? magna responsi invidia subeunda est, mitigandae
15 sunt prius aures. Mihi enim nec Demosthenes tam gravi morum dignus videtur invidia, ut omnia, quae in eum ab inimicis congesta sunt, credam, cum et pulcherrima eius in re publica consilia et finem vitae clarum legam; nec Marco 16
Tullio defuisse video in ulla parte civis optimi voluntatem. Testimonio est actus nobilissime consulatus, integerrime provincia administrata et repudiatus vigintiviratus, et civilibus bellis, quae in aetatem eius gravissima inciderunt, neque spe neque metu declinatus animus, quo minus optimis se partibus, id est rei publicae, iungeret. Parum fortis videtur quibusdam, qui- 17
bus optime respondit ipse, *non se timidum in suscipiendis, sed in providendis periculis*; quod probavit morte quoque ipsa, quam praestantissimo suscepit animo. Quodsi defuit 18
his viris summa virtus, sic quaerentibus, an oratores fuerint, respondebo, quomodo Stoici, si interrogentur, an sapiens Zeno, an Cleanthes, an Chrysippus, respondeant: *magnos quidem illos ac venerabiles, non tamen id, quod natura hominis summum habet, consecutos*. Nam et Pythagoras non sapientem se, 19
ut qui ante eum fuerunt, sed studiosum sapientiae vocari voluit. Ego tamen secundum communem loquendi consuetudinem saepe dixi dicamque, perfectum oratorem esse Ciceronem, ut amicos et bonos viros et prudentissimos dicimus vulgo, quorum nihil nisi perfecte sapienti datur. Sed cum proprie et ad legem ipsam veritatis loquendum erit, eum quaeram oratorem, quem et ille quaerebat. Quamquam enim stetisse ipsum in 20
fastigio fateor, ac vix, quid adici potuerit, invenio, fortasse inventurus, quod adhuc abscisu-

rum putem fuisse (nam fere sic docti iudicaverunt, plurimum in eo virtutum, nonnihil fuisse vitiorum, et ipse se multa ex iuvenili abundantia coercuisse testatur): tamen, quando nec sapientis sibi nomen, minime sui contemptor, adseruit et melius dicere, certe data longiore vita et tempore ad componendum securiore, potuisset, non maligne crediderim defuisse ei summam illam, ad quam
21 nemo propius accessit. Et licebat, si aliter sentirem, fortius id liberiusque defendere. An vero M. Antonius neminem a se visum eloquentem, quod tanto minus erat, professus est; ipse etiam M. Tullius quaerit adhuc eum, et tantum imaginatur ac fingit: ego non audeam dicere, aliquid in hac, quae superest, aeternitate inveniri posse
22 eo, quod fuerit, perfectius? Transeo illos, qui Ciceroni ac Demostheni ne in eloquentia quidem satis tribuunt; quamquam neque ipsi Ciceroni Demosthenes videatur satis esse perfectus, quem dormitare interim dicit, nec Cicero Bruto Calvoque, qui certe compositionem illius etiam apud ipsum reprehendunt, nec Asinio utrique, qui vitia orationis eius etiam inimice pluribus locis insequuntur.

23 Concedamus sane, quod minime natura patitur, repertum esse aliquem malum virum summe disertum, nihilo tamen minus oratorem eum negabo. Nec omnibus, qui fuerint manu prompti, viri fortis nomen concesserim, quia sine virtute
24 intellegi non potest fortitudo. An ei, qui ad defendendas causas advocatur, non est opus fide, quam neque cupiditas corrumpat nec gratia avertat nec metus frangat; sed proditorem, transfugam, praevaricatorem donabimus oratoris illo sacro nomine? Quodsi mediocribus etiam patronis convenit haec, quae vulgo dicitur, bonitas, cur non orator ille, qui nondum fuit, sed potest esse, tam sit moribus quam dicendi virtute perfectus? Non enim forensem quandam instituimus operam 25
nec mercenariam vocem neque ut asperioribus verbis parcamus, non inutilem sane litium advocatum, quem denique causidicum vulgo vocant, sed virum cum ingenii natura praestantem, tum vero tot pulcherrimas artis penitus mente complexum, datum tandem rebus humanis, qualem nulla antea vetustas cognoverit, singularem perfectumque undique, optima sentientem optimeque dicentem. In hoc quota pars erit, quod aut inno- 26
centis tuebitur aut improborum scelera compescet aut in pecuniariis quaestionibus veritati contra calumniam aderit? Summus ille quidem in his quoque operibus fuerit, sed maioribus clarius elucebit, cum regenda senatus consilia et popularis error ad meliora ducendus. An non 27
talem quendam videtur finxisse Vergilius, quem in seditione vulgi iam faces et saxa iaculantis moderatorem dedit:

tum pietate gravem ac meritis si forte virum quem
conspexere, silent arrectisque auribus astant.

Habemus igitur ante omnia virum bonum; post haec adiecit dicendi peritum:

ille regit dictis animos et pectora mulcet.

28 Quid ? non in bellis quoque idem ille vir, quem instituimus, si sit ad proelium miles cohortandus, ex mediis sapientiae praeceptis orationem trahet ? Nam quomodo pugnam ineuntibus tot simul metus laboris, dolorum, postremo mortis ipsius exciderint, nisi in eorum locum pietas et fortitu-
29 do et honesti praesens imago successerit ? Quae certe melius persuadebit aliis, qui prius persuaserit sibi. Prodit enim se, quamlibet custodiatur, simulatio, nec umquam tanta fuerit loquendi facultas, ut non titubet atque haereat, quotiens ab animo verba dissentiunt. Vir autem malus
30 aliud dicat necesse est quam sentit. Bonos numquam honestus sermo deficiet, numquam rerum optimarum (nam iidem etiam prudentes erunt) inventio; quae etiamsi lenociniis destituta sit, satis tamen natura sua ornatur, nec quidquam
31 non diserte, quod honeste, dicitur. Quare, iuventus, immo omnis aetas (neque enim rectae voluntati serum est tempus ullum) totis mentibus huc tendamus, in hoc elaboremus; forsan et consummare contingat. Nam si natura non prohibet et esse virum bonum et esse dicendi peritum, cur non aliquis etiam unus utrumque consequi possit ? cur autem non se quisque speret fore illum
32 aliquem ? Ad quod si vires ingenii non suffecerint, tamen ad quem usque modum processerimus, meliores erimus ex utroque. Hoc certe procul eximatur animo, rerum pulcherrimam eloquentiam cum vitiis mentis posse misceri. Facultas dicendi, si in malos incidit, et ipsa iudicanda est malum; peiores enim illos facit, quibus contigit.

Videor mihi audire quosdam (neque enim de- 33
erunt umquam, qui diserti esse quam boni malint) illa dicentis: quid ergo tantum est artis in eloquentia ? cur tu de coloribus et difficilium causarum defensione, nonnihil etiam de confessione locutus es, nisi aliquando vis ac facultas dicendi expugnat ipsam veritatem ? Bonus enim vir non agit nisi bonas causas, eas porro etiam sine doctrina satis per se tuetur veritas ipsa. Quibus 34
ego, cum de meo primum opere respondero, etiam pro boni viri officio, si quando eum ad defensionem nocentium ratio duxerit, satisfaciam. Pertractare enim, quomodo aut pro falsis aut etiam pro iniustis aliquando dicatur, non est inutile, vel propter hoc solum, ut ea facilius et deprehendamus et refellamus; quemadmodum remedia melius adhibebit, cui nota, quae nocent, fuerint. Neque enim Academici, cum in utram- 35
que disseruerunt partem, non secundum alteram vivunt, nec Carneades ille, qui Romae audiente Censorio Catone non minoribus viribus contra iustitiam dicitur disseruisse quam pridie pro iustitia dixerat, iniustus ipse vir fuit. Verum et virtus quid sit, adversa ei malitia detegit, et aequitas fit ex iniqui contemplatione manifestior, et plurima contrariis probantur. Debent ergo oratori sic esse adversariorum nota consilia ut hostium imperatori.

Verum et illud, quod prima propositione du- 36
rum videtur, potest adferre ratio, ut vir bonus in defensione causae velit auferre aliquando iudici veritatem. Quod si quis a me proponi mirabitur, (quamquam non est haec mea proprie sententia,

sed eorum, quos gravissimos sapientiae magistros aetas vetus credidit) sic iudicet: pleraque esse, quae non tam factis quam causis eorum vel ho-
37 nesta fiant vel turpia. Nam si hominem occidere saepe virtus, liberos necare nonnumquam pulcherrimum est, asperiora quaedam adhuc dictu, si communis utilitas exegerit, facere conceditur: ne hoc quidem nudum est intuendum, qualem causam vir bonus, sed etiam quare, et qua mente
38 defendat. Ac primum concedant mihi omnes oportet, quod Stoicorum quoque asperrimi confitentur, facturum aliquando virum bonum, ut mendacium dicat, et quidem nonnumquam levioribus causis: ut in pueris aegrotantibus utilitatis eorum gratia multa fingimus, multa non
39 facturi promittimus; nedum si ab homine occidendo grassator avertendus sit, aut hostis pro salute patriae fallendus; ut hoc, quod alias in servis quoque reprehendendum est, sit alias in ipso sapiente laudandum. Id si constiterit, multa iam video posse evenire, propter quae orator bene suscipiat tale causae genus, quale remota ratione
40 honesta non recepisset. Nec hoc dico (quia severiores sequi placet leges) pro patre, fratre, amico periclitantibus, tametsi non mediocris haesitatio est, hinc iustitiae proposita imagine, inde pietatis. Nihil dubii relinquamus. Sit aliquis insidiatus tyranno atque ob id reus: utrumne salvum eum nolet is, qui a nobis finitur, orator? an, si tuendum susceperit, non tam falsis defendet, quam qui apud iudices malam causam tue-
41 tur? Quid si quaedam bene facta damnaturus est iudex, nisi ea non esse facta convicerimus, non

vel hoc modo servabit orator non innocentem modo, sed etiam laudabilem civem? Quid si quaedam iusta natura, sed condicione temporum inutilia civitati sciemus, nonne utemur arte dicendi, bona quidem, sed malis artibus simili? Ad hoc nemo dubitabit, quin, si nocentes mutari 42
in bonam mentem aliquo modo possint, sicut posse interdum conceditur, salvos esse eos magis e re publica sit quam puniri. Si liqueat igitur oratori, futurum bonum virum, cui vera obicientur, non id aget, ut salvus sit? Da nunc, ut 43
crimine manifesto prematur dux bonus, et sine quo vincere hostem civitas non possit, nonne ei communis utilitas oratorem advocabit? Certe Fabricius Cornelium Rufinum, et alioqui malum civem et sibi inimicum, tamen, quia utilem sciebat ducem, imminente bello, palam consulem suffragio suo fecit atque id mirantibus quibusdam respondit, a cive se spoliari malle quam ab hoste venire. Ita, hic si fuisset orator, non defendisset eundem Rufinum vel manifesti peculatus reum? Multa dici possunt similia, sed vel 44
unum ex iis quodlibet sufficit. Non enim hoc agimus, ut istud illi, quem formamus, viro saepe sit faciendum, sed ut, si talis coegerit ratio, sit tamen vera finitio, oratorem esse virum bonum dicendi peritum. Praecipere vero ac discere, 45
quomodo etiam probatione difficilia tractentur, necessarium est. Nam frequenter etiam optimae causae similes sunt malis, et innocens reus multis veri similibus premitur; quo fit, ut eadem actionis ratione defendendus sit, qua, si nocens esset. Iam innumerabilia sunt bonis causis malisque

communia, testes, litterae, suspiciones, opiniones. Non aliter autem veri similia quam vera et confirmantur et refelluntur. Quapropter, ut res feret, flectetur oratio, manente honesta voluntate.

CAPUT II.

COGNOSCENDA ORATORI QUIBUS MORES FORMANTUR.

II. Quando igitur orator est vir bonus, is autem citra virtutem intellegi non potest, virtus, etiamsi quosdam impetus ex natura sumit, tamen perficienda doctrina est: mores ante omnia oratori studiis erunt excolendi, atque omnis honesti iustique disciplina pertractanda, sine qua nemo nec vir bonus esse nec dicendi peritus
2 potest. Nisi forte accedimus iis, qui natura constare mores et nihil adiuvari disciplina putant; scilicet ut ea, quae manu fiunt, atque eorum etiam contemptissima, confiteantur egere doctoribus, virtutem vero, qua nihil homini, quo ad deos immortales propius accederet, datum est, obviam et illaboratam, tantum quia nati simus, habeamus. Abstinens erit, qui id ipsum, quid sit absti-
3 nentia, ignoret? et fortis, qui metus doloris, mortis, superstitionis nulla ratione purgaverit? et iustus, qui aequi bonique tractatum, qui leges, quaeque natura sunt omnibus datae, quaeque propriae populis et gentibus constitutae, num

quam eruditiore aliquo sermone tractarit? O quam istud parvum putant, quibus tam facile videtur! Sed hoc transeo, de quo neminem, qui 4
litteras vel primis, ut aiunt, labris degustarit, dubitaturum puto. Ad illud sequens praevertar, ne dicendi quidem satis peritum fore, qui non et naturae vim omnem penitus perspexerit et mores praeceptis ac ratione formarit. Neque enim 5
frustra in tertio de Oratore libro L. Crassus cuncta, quae de aequo, iusto, vero, bono deque iis, quae sunt contra posita, dicantur, propria esse oratoris adfirmat, ac philosophos, cum ea dicendi viribus tuentur, uti rhetorum armis, non suis. Idem tamen confitetur, ea iam esse a philosophia petenda, videlicet quia magis haec illi videtur in 6
possessione earum rerum fuisse. Hinc etiam illud est, quod Cicero pluribus et libris et epistolis testatur, dicendi facultatem ex intimis sapientiae fontibus fluere, ideoque aliquamdiu praeceptores eosdem fuisse morum atque dicendi. Quapropter haec exhortatio mea non eo pertinet, ut esse oratorem philosophum velim, quando non alia vitae secta longius a civilibus officiis atque ab omni munere oratoris recessit. Nam quis 7
philosophorum aut in iudiciis frequens aut clarus in contionibus fuit? Quis denique in ipsa, quam maxime plerique praecipiunt, rei publicae administratione versatus est? Atqui ego illum, quem instituo, Romanum quendam velim esse sapientem, qui non secretis disputationibus, sed rerum experimentis atque operibus se vere civilem virum exhibeat. Sed quia deserta ab his, 8
qui se ad eloquentiam contulerunt, studia sapien-

tiae non iam in actu suo atque in hac fori luce versantur, sed in porticus et in gymnasia primum, mox in conventus scholarum recesserunt, id, quod est oratori necessarium nec a dicendi praeceptoribus traditur, ab iis petere nimirum necesse est, apud quos remansit. Evolvendi penitus auctores qui de virtute praecipiunt, ut oratoris vita cum scientia divinarum rerum sit humana-
9 rumque coniuncta. Quae ipsae quanto maiores ac pulchriores viderentur, si illas ii docerent, qui etiam eloqui praestantissime possent? Utinamque sit tempus umquam, quo perfectus aliquis, qualem optamus, orator hanc artem, superbo nomine et vitiis quorundam bona eius corrumpentium invisam, vindicet sibe ac, velut rebus repetitis, in
10 corpus eloquentiae adducat. Quae quidem cum sit in tris divisa partis, naturalem, moralem rationalem, qua tandem non est cum oratoris opere coniuncta?

Nam ut ordinem retro agamus, de ultima illa, quae tota versatur in verbis, nemo dubitaverit, si et proprietates vocis cuiusque nosse, et ambigua aperire, et perplexa discernere, et de falsis iudicare, et conligere ac resolvere, quae velis, orato-
11 rum est. Quamquam ea non tam est minute atque concise in actionibus utendum quam in disputationibus, quia non docere modo, sed movere etiam ac delectare audientis debet orator, ad quod impetu quoque ac viribus et decore est opus; ut vis amnium maior est altis ripis multoque gurgitis tractu fluentium quam tenuis aquae
12 et obiectu lapillorum resultantis. Et ut palaestrici doctores illos, quos numeros vocant, non idcirco

discentibus tradunt, ut his omnibus, qui didicerunt, in ipso luctandi certamine utantur (plus enim pondere et firmitate et spiritu agitur), sed ut subsit copia illa, ex qua unum aut alterum, cuius se occasio dederit, efficiant: ita haec pars dia- 13
lectica, sive illam dicere malumus disputatricem, ut est utilis saepe et finitionibus et comprehensionibus et separandis, quae sunt differentia, et resolvenda ambiguitate, distinguendo, dividendo, inliciendo, implicando, ita, si totum sibi vindicaverit in foro certamen, obstabit melioribus et sectas ad tenuitatem suam vires ipsa subtilitate consumet. Itaque reperias quosdam in dispu- 14
tando mire callidos, cum ab illa cavillatione discesserint, non magis sufficere in aliquo graviore actu quam parva quaedam animalia, quae, in angustiis mobilia, campo deprehenduntur.

Iam quidem pars illa moralis, quae dicitur, 15
Ethice, certe tota oratori est accommodata. Nam in tanta causarum, sicut superioribus libris diximus, varietate, cum alia coniectura quaerantur, alia finitionibus concludantur, alia iure summoveantur vel transferantur, alia conligantur vel ipsa inter se concurrant vel in diversum ambiguitate ducantur, nulla fere dici potest, cuius non aliqua in parte tractatus aequi ac boni reperiatur; plerasque vero esse quis nescit, quae totae in sola qualitate consistant? In consiliis 16
vero quae ratio suadendi est ab honesti quaestione seposita? Quin illa etiam pars tertia, quae laudandi ac vituperandi officiis continetur, nempe 17
in tractatu recti pravique versatur. An de iustitia, fortitudine, abstinentia, temperantia, pietate

non plurima dicet orator? Sed ille vir bonus, qui haec non vocibus tantum sibi nota atque nominibus aurium tenus in usum linguae perceperit, sed qui, virtutes ipsas mente complexus, ita sentiet, nec in cogitando laborabit et, quod sciet, vere dicet.

18 Cum sit omnis generalis quaestio speciali potentior, quia universo pars continetur, non utique accedit parti quod universum est, profecto nemo dubitabit, generales quaestiones in illo maxime
19 studiorum more versatas. Iam vero cum sint multa propriis brevibusque comprehensionibus finienda, unde etiam status causarum dicitur finitivus, nonne ad id quoque instrui ab iis, qui plus in hoc studii dederunt, oportet? Quid? non quaestio iuris omnis aut verborum proprietate aut aequi disputatione aut voluntatis coniectura continetur? quorum pars ad rationalem, pars ad
20 moralem tractatum redundat. Ergo natura permixta est omnibus istis oratio, quae quidem oratio est vere. Nam ignara quidem huiusce doctrinae loquacitas erret necesse est, ut quae vel nullos vel falsos duces habeat.

Pars vero naturalis, cum est ad exercitationem dicendi tanto ceteris uberior, quanto maiore spiritu de divinis rebus quam humanis loquendum est, tum illam etiam moralem, sine qua nulla esse, ut docuimus, oratio potest, totam com-
21 plectitur. Nam si regitur providentia mundus, administranda certe bonis viris erit res publica; si divina nostris animis origo, tendendum ad virtutem nec voluptatibus terreni corporis serviendum. An haec non frequenter tractabit ora-

tor? Iam de auguriis, responsis, religione denique omni, de quibus maxima saepe in senatu consilia versata sunt, non erit ei disserendum, si quidem, ut nobis placet, futurus est vir civilis idem? Quae denique intellegi saltem potest eloquentia hominis optima nescientis? Haec si 22
ratione manifesta non essent, exemplis tamen crederemus. Siquidem et Periclem, cuius eloquentiae, etiamsi nulla ad nos monumenta venerunt, vim tamen quandam incredibilem cum historici tum etiam liberrimum hominum genus, comici veteres tradunt, Anaxagorae physici constat auditorem fuisse, et Demosthenem, principem omnium Graeciae oratorum, dedisse operam Platoni. Nam M. Tullius, non tantum se 23
debere scholis rhetorum quantum Academiae spatiis, frequenter ipse testatur; neque se tanta in eo umquam fudisset ubertas, si ingenium suum consaepto fori, non ipsius rerum naturae finibus terminasset.

Verum ex hoc alia mihi quaestio exoritur, quae secta conferre plurimum eloquentiae possit; quamquam ea non inter multas potest esse contentio. Nam in primis nos Epicurus a se 24
ipse dimittit, qui fugere omnem disciplinam navigatione quam velocissima iubet Neque vero Aristippus, summum in voluptate corporis bonum ponens, ad hunc nos laborem adhortetur. Pyrrhon quidem quas in hoc opere habere partis potest? cui iudices esse, apud quos verba faciat, et reum, pro quo loquatur, et senatum, in quo sit dicenda sententia, non liquebit. Aca- 25
demiam quidam utilissimam credunt, quod mos

in utramque partem disserendi ad exercitationem forensium causarum proxime accedat. Adiciunt loco probationis, quod ea praestantissimos in eloquentia viros ediderit. Peripatetici studio quoque se quodam oratorio iactant; nam thesis dicere exercitationis gratia fere est ab iis institutum. Stoici, sicut copiam nitoremque eloquentiae fere praeceptoribus suis defuisse concedant necesse est, ita nullos aut probare acrius
26 aut concludere subtilius contendunt. Sed haec inter ipsos, qui velut sacramento rogati vel etiam superstitione constricti nefas ducunt a suscepta semel persuasione discedere; oratori vero nihil
27 est necesse in cuiusquam iurare leges. Maius enim est opus atque praestantius, ad quod ipse tendit, et cuius est velut candidatus, si quidem est futurus cum vitae tum etiam eloquentiae laude perfectus. Quare in exemplum dicendi facundissimum quemque proponet sibi ad imitandum, moribus vero formandis quam honestissima praecepta, rectissimamque ad virtutem viam deliget. Exercitatione quidem utetur omni, sed tamen erit plurimus in maximis quibusque ac
28 natura pulcherrimis. Nam quae potest materia reperiri ad graviter copioseque dicendum magis abundans quam de virtute, de re publica, de providentia, de origine animorum, de amicitia? Haec sunt, quibus mens pariter atque oratio insurgant: quae vera bona, quid mitiget metus, coerceat cupiditates, eximat nos opinionibus vulgi animumque caelestem . . .

29 Neque ea solum, quae talibus disciplinis continentur, sed magis etiam, quae sunt tradita antiquitus dicta ac facta praeclare, et nosse et animo semper agitare conveniet. Quae profecto nusquam plura maioraque quam in nostrae civitatis monumentis reperientur. An fortitudi-30
nem, iustitiam, fidem, continentiam, frugalitatem, contemptum doloris ac mortis melius alii docebunt quam Fabricii, Curii, Reguli, Decii, Mucii, aliique innumerabiles? Quantum enim Graeci praeceptis valent, tantum Romani, quod est maius, exemplis. Tantum quod non cognitis ille 31
rebus adquieverit, qui non modo proximum tempus lucemque praesentem intueri satis credat, sed omnem posteritatis memoriam spatium vitae honestae et curriculum laudis existimet. Hinc mihi ille iustitiae haustus bibat, hinc sumptam libertatem in causis atque consiliis praestet. Neque erit perfectus orator, nisi qui honeste dicere et sciet et audebit.

CAPUT III.

NECESSARIAM IURIS CIVILIS ORATORI SCIENTIAM.

III. Iuris quoque civilis necessaria huic viro scientia est et morum ac religionum eius rei publicae, quam capesset. Nam qualis esse suasor in consiliis publicis privatisve poterit tot rerum, quibus praecipue civitas continetur, ignarus? Quo autem modo patronum se causarum non falso dixerit, qui, quod est in causis potentissimum,

sit ab altero petiturus, paene non dissimilis iis,
2 qui poetarum scripta pronuntiant? Nam quodammodo mandata perferet, et ea, quae sibi a iudice credi postulaturus est, aliena fide dicet, et ipse litigantium auxiliator egebit auxilio. Quod ut fieri nonnumquam minore incommodo possit, cum domi praecepta et composita et sicut cetera, quae in causa sunt, in discendo cognita ad iudicem perferet: quid fiet in iis quaestionibus, quae subito inter ipsas actiones nasci solent? non deformiter respectet et inter subsellia minores ad-
3 vocatos interroget? Potest autem satis diligenter accipere, quae tum audiet, cum iam dicenda sunt, aut fortiter adfirmare aut ingenue pro suis dicere? Possit in actionibus: quid fiet in altercatione, ubi occurrendum continuo, nec libera ad discendum mora est? Quid, si forte peritus iuris ille non aderit? Quid, si quis non satis in ea re doctus falsum aliquid subiecerit? Hoc enim est maximum ignorantiae malum, quod credit eum
4 scire, qui moneat. Neque ego sum nostri moris ignarus oblitusve eorum, qui velut ad arculas sedent et tela agentibus sumministrant, neque idem Graecos quoque nescio factitasse, unde nomen his pragmaticorum datum est. Sed loquor de oratore, qui non clamorem modo suum causis, sed
5 omnia, quae profutura sunt, debet. Itaque eum nec inutilem, si ad horam forte constiterit, neque in testationibus faciendis esse imperitum velim. Quis enim potius praeparabit ea, quae, cum aget, esse in causa velit? Nisi forte imperatorem quis idoneum credit in proeliis quidem strenuum et fortem et omnium, quae pugna poscit, artificem,

sed neque delectus agere nec copias contrahere atque instruere nec prospicere commeatus nec locum capere castris scientem; prius est enim certe parare bella quam gerere. Atqui similli- 6
mus huic sit advocatus, si plura, quae ad vincendum valent, aliis reliquerit, cum praesertim hoc, quod est maxime necessarium, nec tam sit arduum, quam procul intuentibus fortasse videatur.

Namque omne ius, quod est certum, aut scripto aut moribus constat; dubium aequitatis regula examinandum est. Quae scripta sunt aut posita 7
in more civitatis, nullam habent difficultatem, cognitionis sunt enim, non inventionis; at quae consultorum responsis explicantur, aut in verborum interpretatione sunt posita aut in recti pravique discrimine. Vim cuiusque vocis intellegere aut commune prudentium est aut proprium oratoris; aequitas optimo cuique notissima. Nos 8
porro et bonum virum et prudentem in primis oratorem putamus, qui cum se ad id, quod est optimum natura, derexerit, non magnopere commovebitur, si quis ab eo consultus dissentiet, cum ipsis illis diversas inter se opiniones tueri concessum sit. Sed etiam si nosse, quid quisque senserit, volet, lectionis opus est, qua nihil est in studiis minus laboriosum. Quodsi plerique, des- 9
perata facultate agendi, ad discendum ius declinaverunt, quam id scire facile est oratori, quod discunt, qui sua quoque confessione oratores esse non possunt? Verum et M. Cato cum in dicendo praestantissimus, tum iuris idem fuit peritissimus, et Scaevolae Servioque Sulpicio concessa est etiam facundiae virtus. Et M. Tullius non modo 10

inter agendum numquam est destitutus scientia iuris, sed etiam componere aliqua de eo coeperat; ut appareat, posse oratorem non discendo tantum iuri vacare, sed etiam docendo.

11 Verum ea, quae de moribus excolendis studioque iuris praecipimus, ne quis eo credat reprehendenda, quod multos cognovimus, qui taedio laboris, quem ferre tendentibus ad eloquentiam necesse est, confugerint ad haec deverticula desidiae. Quorum alii se ad album ac rubricas transtulerunt et formularii vel, ut Cicero ait, leguleii quidam esse maluerunt, tamquam utiliora eligentes
12 ea quorum solam facilitatem sequebantur, alii pigritiae arrogantioris, qui subito fronte conficta immissaque barba, veluti despexissent oratoria praecepta, paulum aliquid sederunt in scholis philosophorum, ut deinde in publico tristes, domi dissoluti, captarent auctoritatem contemptu ceterorum; philosophia enim simulari potest, eloquentia non potest.

CAPUT IV.

ITEM HISTORIARUM.

IV. In primis vero abundare debet orator exemplorum copia cum veterum tum etiam novorum, adeo ut non ea modo, quae conscripta sunt historiis aut sermonibus velut per manus tradita, quaeque cotidie aguntur, debeat nosse,

verum ne ea quidem, quae sunt a clarioribus poetis ficta, neglegere. Nam illa quidem priora 2
aut testimoniorum aut etiam iudicatorum obtinent locum; sed haec quoque aut vetustatis fide tuta sunt aut ab hominibus magnis praeceptorum loco ficta creduntur. Sciat ergo quam plurima, unde etiam senibus auctoritas maior est, quod plura nosse et vidisse creduntur, quod Homerus frequentissime testatur. Sed non est expectanda ultima aetas, cum studia praestent, ut, quantum ad cognitionem pertinet rerum, etiam praeteritis saeculis vixisse videamur.

CAPUT V.

QUAE SINT ALIA ORATORIS INSTRUMENTA.

V. Haec sunt, quae me redditurum promiseram, instrumenta non artis, ut quidam putaverunt, sed ipsius oratoris. Haec arma habere ad manum, horum scientia debet esse succinctus, accedente verborum figurarumque facili copia et inventionis ratione et disponendi usu et memoriae firmitate et actionis gratia. Sed plurimum ex his valet animi praestantia, quam nec metus frangat nec acclamatio terreat nec audientium auctoritas ultra debitam reverentiam tardet. Nam ut abominanda sunt contraria his vitia con- 2
fidentiae, temeritatis, improbitatis, arrogantiae, ita citra constantiam, fiduciam, fortitudinem nihil ars, nihil studium, nihil profectus ipse profuerit;

ut si des arma timidis et imbellibus. Invitus mehercule dico, quoniam et aliter accipi potest, ipsam verecundiam, vitium quidem, sed amabile et quae virtutes facillime generet, esse inter adversa multisque in causa fuisse, ut bona ingenii studiique in lucem non prolata situ quodam
3 secreti consumerentur. Sciat autem, si quis haec forte minus adhuc peritus distinguendi vim cuiusque verbi leget, non probitatem a me reprehendi, sed verecundiam, quae est timor quidam reducens animum ab iis, quae facienda sunt; inde confusio et coepti paenitentia et subitum silentium. Quis porro dubitet vitiis ascribere adfec-
4 tum, propter quem facere honesta pudet? Neque ego rursus nolo eum, qui sit dicturus, et sollicitum surgere et colorem mutare et periculum intellegere; quae si non accident, etiam simulanda erunt. Sed intellectus hic sit operis, non metus; moveamurque, non concidamus. Optima est autem emendatio verecundiae fiducia, et quamlibet imbecilla frons magna conscientia sustinetur.

5 Sunt et naturalia, ut supra dixi, quae tamen et cura iuvantur, instrumenta, vox, latus, decor; quae quidem tantum valent, ut frequentur famam ingenii faciant. Habuit oratores aetas nostra copiosiores, sed, cum diceret, eminere inter aequalis Trachalus videbatur. Ea corporis sublimitas erat, is ardor oculorum, frontis auctoritas, gestus praestantia, vox quidem non, ut Cicero desiderat, paene tragoedorum, sed super omnis,
6 quos ego quidem audierim, tragoedos. Certe cum in basilica Iulia diceret primo tribunali,

quattuor autem iudicia, ut moris est, cogerentur, atque omnia clamoribus fremerent, et auditum eum et intellectum et, quod agentibus ceteris contumeliosissimum fuit, laudatum quoque ex quattuor tribunalibus memini. Sed hoc votum est et rara felicitas; quae si non adsit, sane sufficiat ab iis, quibus quis dicit, audiri. Talis esse debet orator, haec scire.

CAPUT VI.

QUOD SIT INCIPIENDI CAUSAS AGERE TEMPUS.

VI. Agendi autem initium sine dubio secundum vires cuiusque sumendum est. Neque ego annos definiam, cum Demosthenem puerum admodum actiones pupillares habuisse manifestum sit, Calvus, Caesar, Pollio multum ante quaestoriam omnes aetatem gravissima iudicia susceperint, praetextatos egisse quosdam sit traditum, Caesar Augustus duodecim natus annos aviam pro rostris laudaverit. Modus mihi vide-
2 tur quidam tenendus, ut neque praepropere destringatur immatura frons et, quidquid est illud adhuc acerbum, proferatur (nam inde et contemptus operis innascitur, et fundamenta iaciuntur impudentiae, et, quod est ubique perniciosissimum, praevenit vires fiducia); nec rursus differ-
3 endum est tirocinium in senectutem; nam cotidie metus crescit, maiusque fit semper, quod ausuri

sumus, et, dum deliberamus, quando incipiendum sit, incipere iam serum est. Quare fructum studiorum viridem et adhuc dulcem promi decet, dum et veniae spes est et paratus favor et audere non dedecet, et, si quid desit operi, supplet aetas, et, si qua sunt dicta iuveniliter, pro indole acci-
4 piuntur; ut totus ille Ciceronis pro Sexto Roscio locus: quid enim tam commune quam spiritus vivis, terra mortuis, mare fluctuantibus, litus eiectis? Quae cum sex et viginti natus annos summis audientium clamoribus dixerit, defervisse tempore, et annis liquata, iam senior idem fatetur. Et hercule quantumlibet secreta studia contulerint, est tamen proprius quidam fori profectus, alia lux, alia veri discriminis facies; plusque, si separes, usus sine doctrina
5 quam citra usum doctrina valet. Ideoque nonnulli, senes in schola facti, stupent novitate, cum in iudicia venerunt, et omnia suis exercitationibus similia desiderant. At illic et iudex tacet et adversarius obstrepit et nihil temere dictum perit, et, si quid tibi ipse sumas, probandum est, et laboratam congestamque dierum ac noctium studio actionem aqua deficit, et omisso magna semper flandi tumore in quibusdam causis loquendum est; quod illi diserti minime sciunt.
6 Itaque nonnullos reperias, qui sibi eloquentiores videantur, quam ut causas agant. Ceterum illum, quem iuvenem tenerisque adhuc viribus nitentem in forum deduximus, et incipere a quam maxime facili ac favorabili causa velim, ferarum ut catuli molliore praeda saginantur, et non utique ab hoc initio continuare operam et

ingenio adhuc alendo callum inducere, sed iam scientem, quid sit pugna, et in quam rem studendum sit, refici atque renovari. Sic et tirocinii 7
metum, dum facilius est audere, transierit, nec audendi facilitatem usque ad contemptum operis adduxerit. Usus est hac ratione M. Tullius, et cum iam clarum meruisset inter patronos, qui tum erant, nomen, in Asiam navigavit seque et aliis sine dubio eloquentiae ac sapientiae magistris, sed praecipue tamen Apollonio Moloni, quem Romae quoque audierat, Rhodi rursus formandum ac velut recoquendum dedit. Tum dignum operae pretium venit, cum inter se congruunt praecepta et experimenta.

CAPUT VII.

QUAE IN SUSCIPIENDIS CAUSIS ORATORI OBSERVANDA SINT.

VII. Cum satis in omne certamen virium fecerit, prima ei cura in suscipiendis causis erit; in quibus defendere quidem reos profecto, quam facere, vir bonus malet, non tamen ita nomen ipsum accusatoris horrebit, ut nullo neque publico neque privato duci possit officio, ut aliquem ad reddendam rationem vitae vocet. Nam et leges ipsae nihil valeant, nisi actoris idonea voce munitae, et si poenas scelerum expetere fas non est, prope est, ut scelera ipsa permissa sint, et licentiam malis dari, certe contra bonos est.
8

2 Quare neque sociorum querelas nec amici vel propinqui necem nec erupturas in rem publicam conspirationes inultas patietur orator, non poenae nocentium cupidus, sed emendandi vitia corrigendique mores. Nam qui ratione traduci ad 3 meliora non possunt, solo metu continentur. Itaque ut accusatoriam vitam vivere et ad deferendos reos praemio duci, proximum latrocinio est, ita pestem intestinam propulsare cum propugnatoribus patriae comparandum. Ideoque principes in re publica viri non detrectaverunt hanc officii partem, creditique sunt etiam clari iuvenes obsidem rei publicae dare malorum civium accusationem, quia nec odisse improbos nec simultates provocare nisi ex fiducia bonae mentis vide- 4 bantur. Idque cum ab Hortensio, Lucullis, Sulpicio, Cicerone, Caesare, plurimis aliis, tum ab utroque Catone factum est; quorum alter appellatus est sapiens, alter nisi creditur fuisse, vix scio, cui reliquerit huius nominis locum. Neque defendet omnis orator, idemque portum illum eloquentiae suae sulutarem non etiam piratis patefaciet duceturque in advocationem maxime 5 causa. Quoniam tamen omnis, qui non improbe litigabunt, quorum certe bona pars est, sustinere non potest unus, aliquid et commendantium personis dabit et ipsorum, qui iudicio decernent, ut optimi cuiusque voluntate moveatur; namque 6 hos et amicissimos habebit vir bonus. Summovendum vero est utrumque ambitus genus vel potentibus contra humiles venditandi operam suam vel illud etiam iactantius minores utique contra dignitatem attollendi; non enim fortuna

causas vel iustas vel improbas facit. Neque vero pudor obstet, quo minus susceptam, cum melior videretur, litem, cognita inter discendum iniquitate, dimittat, cum prius litigatori dixerit verum. Nam et in hoc maximum, si aequi iudices sumus, 7 beneficium est, ut non fallamus vana spe litigantem. Neque est dignus opera patroni, qui non utitur consilio. Et certe non convenit ei, quem oratorem esse volumus, iniusta tueri scientem. Nam si ex illis, quas supra diximus, causis falsum tuebitur, erit tamen honestum, quod ipse faciet.

Gratisne ei semper agendum sit, tractari 8 potest. Quod ex prima statim fronte diiudicare, imprudentium est. Nam quis ignorat, quin id longe sit honestissimum ac liberalibus disciplinis et illo, quem exigimus, animo dignissimum, non vendere operam nec elevare tanti beneficii auctoritatem, cum pleraque hoc ipso possint videri vilia, quod pretium habent? Caecis hoc, ut 9 aiunt, satis clarum est, nec quisquam, qui sufficientia sibi (modica autem haec sunt) possidebit, hunc quaestum sine crimine sordium fecerit. At si res familiaris amplius aliquid ad usus necessarios exiget, secundum omnium sapientium leges patietur sibi gratiam referri, cum et Socrati conlatum sit ad victum, et Zeno, Cleanthes, Chrysippus mercedes a discipulis acceptaverint. Neque 10 enim video, quae iustior adquirendi ratio quam ex honestissimo labore et ab iis, de quibus optime meruerint, quique, si nihil invicem praestent, indigni fuerint defensione. Quod quidem non iustum modo, sed necessarium etiam est, cum

haec ipsa opera tempusque omne alienis negotiis datum facultatem aliter adquirendi recidant.
11 Sed tum quoque tenendus est modus, ac plurimum refert, et a quo accipiat et quantum et quousque. Paciscendi quidem ille piraticus mos et imponentium periculis pretia procul abominanda negotiatio, etiam a mediocriter improbis aberit, cum praesertim bonos homines bonasque causas tuenti non sit metuendus ingratus; qui si
12 futurus, malo tamen ille peccet. Nihil ergo adquirere volet orator ultra quam satis erit, ac ne pauper quidem tamquam mercedem accipiet, sed mutua benivolentia utetur, cum sciat se tanto plus praestitisse. Non enim, quia venire hoc beneficium non oportet, perire oportet. Denique ut gratus sit, ad eum magis pertinet, qui debet.

CAPUT VIII.

QUAE IN DISCENDIS.

VIII. Proxima discendae causae ratio, quod est orationis fundamentum. Neque enim quisquam tam ingenio tenui reperietur, qui, cum omnia, quae sunt in causa, diligenter cognoverit, ad docendum certe iudicem non sufficiat. Sed
2 eius rei paucissimis cura est. Nam ut taceam de neglegentibus, quorum nihil refert, ubi litium cardo vertatur, dum sint quae vel extra causam ex personis aut communi tractatu locorum occasionem clamandi largiantur, aliquos et ambitio

pervertit, qui partim tamquam occupati semperque aliud habentes, quod ante agendum sit, pridie ad se venire litigatorem aut eodem matutino iubent, nonnumquam etiam inter ipsa subsellia didicisse se gloriantur, partim iactantia ingenii, 3
ut res cito accepisse videantur, tenere se et intellegere prius paene quam audiant mentiti, cum multa et diserte summisque clamoribus, quae neque ad iudicem neque ad litigatorem pertineant, decantaverunt, bene sudantes beneque comitati per forum reducuntur. Ne illas quidem tulerim 4
delicias eorum, qui doceri amicos suos iubent, quamquam minus mali est, si illi saltem recte discant recteque doceant. Sed quis discet tam bene quam patronus? Quomodo autem sequester ille et media litium manus et quidam interpres impendet aequo animo laborem in alienas actiones, cum dicturis tanti suae non sint? Pes- 5
simae vero consuetudinis, libellis esse contentum, quos componit aut litigator, qui confugit ad patronum, quia liti ipse non sufficit, aut aliquis ex eo genere advocatorum, qui se non posse agere confitentur, deinde faciunt id quod est in agendo difficillimum. Nam qui iudicare, quid dicendum, quid dissimulandum, quid declinandum, mutandum, fingendum etiam sit, potest, cur non sit orator, quando, quod difficilius est, oratorem facit? Hi porro non tantum nocerent, si omnia 6
scriberent, uti gesta sunt. Nunc consilium et colores adiciunt et aliqua peiora veris, quae plerique cum acceperunt, immutare nefas habent et velut themata in scholis posita custodiunt. Deinde deprehenduntur et, causam, quam discere

ex suis litigatoribus noluerunt, ex adversariis
7 discunt. Liberum igitur demus ante omnia iis,
quorum negotium erit, tempus ac locum, exhortemurque ultro, ut omnia quamlibet verbose et
unde volent repetito tempore exponant; non enim
tam obest audire supervacua quam ignorare ne-
8 cessaria. Frequenter autem et vulnus et remedium in iis orator inveniet, quae litigatori in
neutram partem habere momentum videbantur.
Nec tanta sit acturo memoriae fiducia, ut subscribere audita pigeat.

Nec semel audisse sit satis; cogendus eadem
iterum ac saepius dicere litigator, non solum quia
effugere aliqua prima expositione potuerunt,
praesertim hominem (quod saepe evenit) imperitum, sed etiam ut sciamus, an eadem dicat.
9 Plurimi enim mentiuntur et, tamquam non doceant causam, sed agant, non ut cum patrono, sed
ut cum iudice loquuntur. Quapropter numquam
satis credendum est, sed agitandus omnibus mo-
10 dis et turbandus et evocandus. Nam ut medicis
non apparentia modo vitia curanda sunt, sed
etiam invenienda quae latent, saepe ipsis ea,
qui sanandi sunt, occulentibus, ita advocatus
plura, quam ostenduntur, aspiciat. Nam cum
satis in audiendo patientiae impenderit, in aliam rursus ei personam transeundum est agendusque adversarius, proponendum quidquid omnino excogitari contra potest, quidquid recipit in
eiusmodi disceptatione natura. Interrogandus
11 quam infestissime ac premendus. Nam dum
omnia quaerimus, aliquando ad verum, ubi minime expectavimus, pervenimus.

In summa optimus est in discendo patronus
incredulus; promittit enim litigator omnia, testem populum, paratissimas consignationes, ipsum
denique adversarium quaedam non negaturum.
Ideoque opus est intueri omne litis instrumen- 12
tum; quod videre non est satis, perlegendum
erit. Nam frequentissime aut non sunt omnino,
quae promittebantur, aut minus continent aut
cum alio aliquo nocituro permixta sunt aut
nimia sunt et fidem hoc ipso detractura, quod
non habent modum. Denique linum ruptum aut 13
turbatam ceram aut sine agnitore signa frequenter invenies; quae, nisi domi excusseris, in foro
inopinata decipient, plusque nocebunt destituta
quam non promissa nocuissent. Multa etiam,
quae litigator nihil ad causam pertinere crediderit, patronus eruet, modo per omnis, quos tradidimus, argumentorum locos eat. Quos ut circum- 14
spectare in agendo et attentare singulos minime
convenit, propter quas diximus causas, ita in discendo rimari necessarium est, quae personae,
quae tempora et loca, instituta, instrumenta,
cetera, ex quibus non tantum illud, quod est
artificiale probationis genus, colligi possit, sed
qui metuendi testes, quomodo sint refellendi.
Nam plurimum refert, invidia reus an odio an
contemptu laboret, quorum fere pars prima superiores, proxima pares, tertia humiliores premit.
Sic causam perscrutatus, propositis ante oculos 15
omnibus, quae prosint noceantve, tertiam deinceps personam induat iudicis, fingatque apud se
agi causam, et, quod ipsum movisset de eadem re
pronuntiaturum, id potentissimum, apud quem-

cmnque agetur, existimet. Sic eum raro fallet eventus, aut culpa iudicis erit.

CAPUT IX.

QUAE IN AGENDIS.

IX. Quae sint in agendo servanda, toto fere opere executi sumus, pauca tamen propria huius loci, quae non tam dicendi arte quam officiis agentis continentur, attingam. Ante omnia, ne, quod plerisque accidit, ab utilitate eum causae
2 praesentis cupido laudis abducat. Nam ut gerentibus bella non semper exercitus per plana et amoena ducendus est, sed adeundi plerumque asperi colles, expugnandae civitates quamlibet praecisis impositae rupibus aut operum mole difficiles, ita oratio gaudebit quidem occasione laetius decurrendi et aequo congressa campo to-
3 tas vires populariter explicabit; at si iuris anfractus aut eruendae veritatis latebras adire cogetur, non obequitabit nec illis vibrantibus concitatisque sententiis velut missilibus utetur, sed operibus et cuniculis et insidiis et occultis artibus
4 rem geret. Quae omnia non dum fiunt laudantur, sed cum facta sunt; unde etiam cupidissimis opinionis plus fructus venit. Nam cum illa dicendi vitiosa iactatio inter plausores suos detonuit, resurgit verae virtutis fortior fama, nec iudices, a quo sint moti, dissimulant, et doctis credi-

tur, nec est orationis vera laus, nisi cum finita est. Veteribus quidem etiam dissimulare elo- 5
quentiam fuit moris, idque M. Antonius praecipit, quo plus dicentibus fidei minusque suspectae advocatorum insidiae forent. Sed illa dissimulari, quae tum erat, potuit; nondum enim tantum dicendi lumen accesserat, ut etiam per obstantia erumperet. Quare artes quidem et consilia lateant et quidquid, si deprehenditur, perit. Hactenus eloquentia secretum habet. Verborum qui- 6
dem delectus, gravitas sententiarum, figurarum elegantia aut non sunt aut apparent. Sed vel propter hoc ipsum ostentanda non sunt, quod apparent, aut si unum e duobus eligendum, causa potius laudetur quam patronus. Finem tamen hunc praestabit orator, ut videatur optimam causam optime egisse. Illud certum erit, nemi-
nem peius agere quam qui, displicente causa, placet; necesse est enim extra causam sit quod placet. Nec illo fastidio laborabit orator non 7
agendi causas minores, tamquam infra eum sint aut detractura sit opinioni minus liberalis materia. Nam et suscipiendi ratio iustissima est officium, et optandum etiam, ut amici quam minimas lites habeant, et abunde dixit bene, quisquis rei satisfecit.

At quidam, etiamsi forte susceperunt negotia 8
paulo ad dicendum tenuiora, extrinsecus adductis ea rebus circumlinunt ac, si defecerint alia, conviciis implent vacua causarum; si contingit, veris, si minus, fictis; modo sit materia ingenii mereaturque clamorem dum dicitur. Quod ego adeo longe puto ab oratore perfecto, ut eum ne

vera quidem obiecturum, nisi id causa exigit,
9 credam. Ea est enim prorsus canina, ut ait
Appius, eloquentia, cognituram male dicendi subire; quod facientibus etiam male audiendi praesumenda patientia est. Nam et in ipsos fit impetus frequenter, qui egerunt, et certe petulantiam patroni litigator luit. Sed haec minora sunt ipso illo vitio animi, quod maledicus a malefico non
10 distat nisi occasione. Turpis voluptas et inhumana et nulli audientium bono grata a litigatoribus quidem frequenter exigitur, qui ultionem malunt quam defensionem. Sed neque alia multa ad arbitrium eorum facienda sunt; hoc quidem quis hominum liberi modo sanguinis sustineat,
11 petulans esse ad alterius arbitrium? Atqui etiam in advocatos partis adversae libenter nonnulli invehuntur; quod, nisi si forte meruerunt, et inhumanum est respectu communium officiorum, et cum ipsi qui dicit inutile (nam idem iuris responsuris datur), tum causae contrarium, quia plane adversarii fiunt et inimici, et quantulumcumque
12 eis virium est, contumelia augetur. Super omnia perit illa, quae plurimum oratori et auctoritatis et fidei adfert, modestia, si a viro bono in rabulam latratoremque convertitur, compositus non ad animum iudicis, sed ad stomachum litigatoris.
13 Frequenter etiam species libertatis deducere ad temeritatem solet non causis modo, sed ipsis quoque, qui dixerunt, periculosam. Nec immerito Pericles solebat optare, ne quod sibi verbum in mentem veniret, quo populus offenderetur. Sed quod ille de populo, id ego de omnibus sentio, qui tantundem possunt nocere. Nam quae fortia,

dum dicuntur, videbantur, stulta, cum laeserunt, vocantur.

Nunc, quia varium fere propositum agentium 14
fuit, et quorundam cura tarditatis, quorundam facilitas temeritatis crimine laboravit, quem credam fore in hoc oratoris modum, tradere non alienum videtur. Adferet ad dicendum curae semper 15
quantum plurimum poterit; neque enim solum neglegentis, sed mali et in suscepta causa perfidi ac proditoris est, peius agere quam possit. Ideoque ne suscipiendae quidem sunt causae plures, quam quibus suffecturum se sciat. Dicet scripta 16
quam res patietur plurima et, ut Demosthenes ait, si continget, et sculpta. Sed hoc aut primae actiones aut quae in publicis iudiciis post interiectos dies dantur permiserint; at cum protinus respondendum est, omnia parari non possunt, adeo ut paulo minus promptis etiam noceat scripsisse, si alia ex diverso, quam opinati fuerant, occurrerint. Inviti enim recedunt a praeparatis et tota 17
actione respiciunt requiruntque, num aliquid ex illis intervelli atque ex tempore dicendis inseri possit; quod si fiat, non cohaeret nec commissuris modo, ut in opere male iuncto, hiantibus, sed ipsa coloris inaequalitate detegitur. Ita nec liber est 18
impetus nec cura contexta, et utrumque alteri obstat; illa enim, quae scripta sunt, retinent animum, non sequuntur. Itaque in his actionibus omni, ut agricolae dicunt, pede standum est. Nam cum in propositione ac refutatione causa 19
consistat, quae nostrae partis sunt, scripta esse possunt, quae etiam responsurum adversarium certum est, (est enim aliquando certum) pari cura

refelluntur. Ad alia unum paratum adferre possumus, ut causam bene noverimus; alterum ibi sumere, ut dicentem adversarium diligenter
20 audiamus. Licet tamen praecogitare plura et animum ad omnis casus componere, idque est tutius stilo, quo facilius et omittitur cogitatio
21 et transfertur. Sed sive in respondendo fuerit subito dicendum, sive quae alia ita exegerit ratio, non oppressum se ac deprehensum credet orator, cui disciplina et studium et exercitatio dederit vires etiam facilitatis, quemque armatum semper ac velut in procinctu stantem non magis umquam in causis oratio quam in rebus cotidianis ac domesticis sermo deficiet; nec se umquam propter hoc oneri subtrahet, modo sit causae discendae tempus; nam cetera semper sciet.

CAPUT X.

DE GENERE DICENDI.

X. Superest, ut dicam de genere orationis. Hic erat propositus a nobis in divisione prima locus tertius; nam ita promiseram, me de arte, de artifice, de opere dicturum. Cum sit autem rhetorices atque oratoris opus oratio, pluresque eius formae, sicut ostendam, in omnibus his et ars est et artifex; plurimum tamen invicem differunt, nec solum specie, ut signum signo et tabula tabulae et actio actioni, sed genere ipso, ut Graecis Tuscanicae statuae, ut Asianus eloquens Atti-

co. Suos autem haec operum genera, quae dico, 2
ut auctores sic etiam amatores habent; atque ideo nondum est perfectus orator, ac nescio an ars ulla, non solum quia aliud in alio magis eminet, sed quod non una omnibus forma placuit, partim condicione vel temporum vel locorum, partim iudicio cuiusque atque proposito.

Primi, quorum quidem opera non vetustatis 3
modo gratia visenda sint, clari pictores fuisse dicuntur Polygnotus atque Aglaophon, quorum simplex color tam sui studiosos adhuc habet, ut illa prope rudia ac velut futurae mox artis primordia maximis, qui post eos extiterunt, auctoribus praeferant, proprio quodam intellegendi, ut mea opinio est, ambitu. Post Zeuxis atque 4
Parrhasius non multum aetate distantes, circa Peloponnesia ambo tempora (nam cum Parrhasio sermo Socratis apud Xenophontem invenitur) plurimum arti addiderunt. Quorum prior luminum umbrarumque invenisse rationem, secundus examinasse subtilius lineas traditur. Nam Zeuxis 5
plus membris corporis dedit, id amplius atque augustius ratus atque, ut existimant, Homerum secutus, cui validissima quaeque forma etiam in feminis placet. Ille vero ita circumscripsit omnia, ut eum legum latorem vocent, quia deorum atque heroum effigies, quales ab eo sunt traditae, ceteri, tamquam ita necesse sit, sequuntur. Floruit autem circa Philippum et usque ad suc- 6
cessores Alexandri pictura praecipue, sed diversis virtutibus. Nam cura Protogenes, ratione Pamphilus ac Melanthius, facilitate Antiphilus, concipiendis visionibus, quas φαντασίας vocant, Theon

Samius, ingenio et gratia, quam in se ipse maxime iactat, Apelles est praestantissimus. Euphranorem admirandum facit, quod et ceteris optimis studiis inter praecipuos et pingendi fingendique idem mirus artifex fuit.

7 Similis in statuis differentia. Nam duriora et Tuscanicis proxima Callon atque Hegesias, iam minus rigida Calamis, molliora adhuc supra dictis Myron fecit. Diligentia ac decor in Polyclito supra ceteros, cui quamquam a plerisque tribuitur palma, tamen, ne nihil detrahatur, de-
8 esse pondus putant. Nam ut humanae formae decorem addiderit supra verum, ita non explevisse deorum auctoritatem videtur. Quin aetatem quoque graviorem dicitur refugisse nihil ausus ultra levis genas. At quae Polyclito defue-
9 runt, Phidiae atque Alcameni dantur. Phidias tamen dis quam hominibus efficiendis melior artifex creditur, in ebore vero longe citra aemulum, vel si nihil nisi Minervam Athenis aut Olympium in Elide Iovem fecisset, cuius pulchritudo adiecisse aliquid etiam receptae religioni videtur; adeo maiestas operis deum aequavit. Ad veritatem Lysippum ac Praxitelen accessisse optime adfirmant; nam Demetrius tamquam nimius in ea reprehenditur et fuit similitudinis quam pulchritudinis amantior.

10 In oratione vero si species intueri velis, totidem paene reperias ingeniorum quot corporum formas. Sed fuere quaedam genera dicendi condicione temporum horridiora, alioqui magnam iam ingenii vim prae se ferentia. Hinc sint Laelii, Africani, Catones etiam Gracchique, quos tu

licet Polygnotos vel Callonas appelles. Mediam illam formam teneant L. Crassus, Q. Hortensius. Tum deinde efflorescat non multum inter se dis- 11
tantium tempore oratorum ingens proventus. Hic vim Caesaris, indolem Caelii, subtilitatem Calidii, diligentiam Pollionis, dignitatem Messalae, sanctitatem Calvi, gravitatem Bruti, acumen Sulpicii, acerbitatem Cassii reperiemus; in iis etiam, quos ipsi vidimus, copiam Senecae, vires Africani, maturitatem Afri, iucunditatem Crispi, sonum Trachali, elegantiam Secundi. At M. 12
Tullium non illum habemus Euphranorem circa pluris artium species praestantem, sed in omnibus, quae in quoque laudantur, eminentissimum. Quem tamen et suorum homines temporum incessere audebant ut tumidiorem et Asianum et redundantem et in repetitionibus nimium et in salibus aliquando frigidum et in compositione fractum, exultantem ac paene, quod procul absit, viro molliorem; postea vero quam triumvirali 13
proscriptione consumptus est, passim qui oderant, qui invidebant, qui aemulabantur, adulatores etiam praesentis potentiae, non responsurum invaserunt. Ille tamen, qui ieiunus a quibusdam et aridus habetur, non aliter ab ipsis inimicis male audire quam nimiis floribus et ingenii adfluentia potuit. Falsum utrumque, sed tamen illa mentiendi propior occasio. Praecipue vero pres- 14
serunt eum, qui videri Atticorum imitatores concupierant. Haec manus, quasi quibusdam sacris initiata, ut alienigenam et parum superstitiosum devinctumque illis legibus insequebatur; unde nunc quoque aridi et exsucci et exsangues. Hi 15

sunt enim, qui suae imbecillitati sanitatis appellationem, quae est maxime contraria, obtendunt; qui, quia clariorem vim eloquentiae velut solem ferre non possunt, umbra magni nominis delitescunt. Quibus quia multa et pluribus locis Cicero ipse respondit, tutior mihi de hoc disserendi brevitas erit.

16 Et antiqua quidem illa divisio inter Atticos atque Asianos fuit, cum hi pressi et integri, contra inflati illi et inanes haberentur; in his nihil superflueret, illis iudicium maxime ac modus deesset. Quod quidam, quorum et Santra est, hoc putant accidisse, quod, paulatim sermone Graeco in proximas Asiae civitates influente, nondum satis periti loquendi facundiam concupierint, ideoque ea, quae proprie signari poterant, circuitu coeperint enuntiare ac deinde in eo per-
17 severarint. Mihi autem orationis differentiam fecisse et dicentium et audientium laturae videntur, quod Attici limati quidam et emuncti nihil inane aut redundans ferebant, Asiana gens tumidior alioqui atque iactantior vaniore etiam
18 dicendi gloria inflata est. Tertium mox, qui haec dividebant, adiecerunt genus Rhodium, quod velut medium esse atque ex utroque mixtum volunt; neque enim Attice pressi neque Asiane sunt abundantes, ut aliquid habere videantur
19 gentis, aliquid auctoris. Aeschines enim, qui hunc exilio delegerat locum, intulit eo studia Athenarum, quae, velut sata quaedam caelo terraque degenerant, saporem illum Atticum peregrino miscuerunt. Lenti ergo quidam ac remissi, non sine pondere tamen, neque fontibus puris

neque torrentibus turbidis, sed lenibus stagnis similes habentur.

Nemo igitur dubitaverit, longe esse optimum 20
genus Atticorum. In quo ut est aliquid inter ipsos commune, id est iudicium acre tersumque, ita ingeniorum plurimae formae. Quapropter 21
mihi falli multum videntur, qui solos esse Atticos credunt tenuis et lucidos et significantis, sed quadam eloquentiae frugalitate contentos ac semper manum intra pallium continentis. Nam quis erit hic Atticus? Sit Lysias; hunc enim amplectuntur amatores istius nominis modum. Non igitur iam usque ad Coccum et Andocidem remittemur? Interrogare tamen velim, an Isocrates Attice dixerit; nihil enim tam est Lysiae diversum. 22
Negabunt; at eius schola principes oratorum dedit. Quaeratur similius aliquid. Hyperides Atticus? Certe, at plus indulsit voluptati. Transeo plurimos, Lycurgum, Aristogitona et his priores Isaeum, Antiphonta; quos, ut homines inter se genere similes, differentis dixeris specie. Quid ille, cuius modo fecimus mentionem, 23
Aeschines? nonne his latior et audentior et excelsior? Quid denique Demosthenes? non cunctos illos tenues et circumspectos vi, sublimitate, impetu, cultu, compositione superavit? non insurgit locis? non figuris gaudet? non translationibus nitet? non oratione ficta dat tacentibus vocem? non illud iusiurandum per caesos in 24
Marathone ac Salamine propugnatores rei publicae satis manifesto docet, praeceptorem eius Platonem fuisse? quem ipsum num Asianum appellabimus plerumque instinctis divino spiritu

vatibus comparandum? Quid Periclea? similemne credimus Lysiacae gracilitati, quem fulminibus et caelesti fragori comparant comici,
25 dum illi conviciantur? Quid est igitur, cur in iis demum, qui tenui venula per calculos fluunt, Atticum saporem putent? ibi demum thymum redolere dicant? Quos ego existimo, si quod in his finibus uberius invenerint solum fertilioremve segetem, negaturos Atticam esse, quod plus, quam acceperit, seminis reddat; quia hanc eius terrae
26 fidem Menander eludit. Ita nunc, si quis ad eas Demosthenis virtutes, quas ille summus orator habuit, tamen quae defuisse ei sive ipsius natura seu lege civitatis videntur, adiecerit, ut adfectus concitatius moveat, audiam dicentem, 'non fecit hoc Demosthenes?' et si quid numeris exierit aptius (fortasse non possit, sed tamen si quid exierit) non erit Atticum? Melius de hoc nomine sentiant credantque, Attice dicere esse optime dicere.

27 Atque in hac tamen opinione perseverantis Graecos magis tulerim. Latina mihi facundia, ut inventione, dispositione, consilio, ceteris huius generis artibus similis Graecae ac prorsus discipula eius videtur, ita circa rationem eloquendi vix habere imitationis locum. Namque est ipsis statim sonis durior, quando et iucundissimas ex Graecis litteras non habemus, vocalem alteram, alteram consonantem, quibus nullae apud eos dulcius spirant; quas mutuari solemus, quotiens
28 illorum nominibus utimur; quod cum contingit, nescio quomodo hilarior protinus renidet oratio, ut in 'Ephyris' et 'Zephyris'; quae si nostris

litteris scribantur, surdum quiddam et barbarum efficient, et velut in locum earum succedunt tristes et horridae, quibus Graecia caret. Nam et 29
illa, quae est sexta nostrarum, paene non humana voce vel omnino non voce potius inter discrimina dentium efflanda est; quae, etiam cum vocalem proxima accipit, quassa quodammodo, utique quotiens aliquam consonantium frangit, ut in hoc ipso 'frangit,' multo fit horridior. Aeolicae quoque litterae, qua 'servum cervumque' dicimus, etiamsi forma a nobis repudiata est, vis tamen nos ipsa persequitur. Duras et illa sylla- 30
bas facit, quae ad coniungendas demum subiectas sibi vocales est utilis, alias supervacua, ut 'equos' hac et 'aequum' scribimus; cum etiam ipsae hae vocales duae efficiant sonum, qualis apud Graecos nullus est, ideoque scribi illorum litteris non potest. Quid? quod pleraque nos 31
illa quasi mugiente m littera cludimus, in quam nullum Graece verbum cadit: at illi ny iucundam et in fine praecipue quasi tinnientem illius loco ponunt, quae est apud nos rarissima in clausulis. Quid? quod syllabae nostrae in b litteram 32
et d innituntur adeo aspere, ut plerique non antiquissimorum quidem, sed tamen veterum mollire temptaverint non solum 'aversa' pro 'abversis' dicendo, sed et in praepositione b litterae absonam et ipsam s subiciendo. Sed accentus quo- 33
que, cum rigore quodam, tum similitudine ipsa, minus suaves habemus, quia ultima syllaba nec acuta umquam excitatur nec flexa circumducitur, sed in gravem vel duas graves cadit semper. Itaque tanto est sermo Graecus Latino iucundior,

ut nostri poetae, quotiens dulce carmen esse volu-
34 erunt, illorum id nominibus exornent. His illa potentiora, quod res plurimae carent appellationibus, ut eas necesse sit transferre aut circumire; etiam in iis, quae denominata sunt, summa paupertas in eadem nos frequentissime revolvit; at illis non verborum modo, sed linguarum etiam inter se differentium copia est.

35 Quare qui a Latinis exiget illam gratiam sermonis Attici, det mihi in eloquendo eandem iucunditatem et parem copiam. Quod si negatum est, sententias aptabimus iis vocibus, quas habemus, nec rerum nimiam tenuitatem, ut non dicam pinguioribus, fortioribus certe verbis miscebimus, ne virtus utraque pereat ipsa confusione;
36 nam quo minus adiuvat sermo, rerum inventione pugnandum est. Sensus sublimes variique eruantur; permovendi omnes adfectus erunt, oratio translationum nitore illuminanda. Non possumus esse tam graciles: simus fortiores. Subtilitate vincimur: valeamus pondere. Proprietas
37 penes illos est certior: copia vincamus. Ingenia Graecorum, etiam minora, suos portus habent: nos plerumque maioribus velis moveamur, validior spiritus nostros sinus tendat; non tamen alto semper feremur, nam et litora interim sequenda sunt. Illis facilis per quaelibet vada accessus: ego aliquid, non multo tamen, altius, in quo mea
38 cymba non sidat, inveniam. Neque enim, si tenuiora haec ac pressiora Graeci melius, in eoque vincimur solo et ideo in comoediis non contendimus, prorsus tamen omittenda pars haec orationis, sed exigenda ut optime possumus; possumus

autem rerum et modo et iudicio esse similes; verborum gratia, quam in ipsis non habemus, extrinsecus condienda est. An non in privatis et 39
acutus et indistinctus et non supra modum elatus M. Tullius? non in M. Calidio insignis haec virtus? non Scipio. Laelius, Cato in eloquendo velut Attici Romanorum fuerunt? Cui porro non satis est, quo nihil esse melius potest?

Ad hoc quidam nullam esse naturalem putant 40
eloquentiam, nisi quae sit cotidiano sermoni simillima, quo cum amicis, coniugibus, liberis, servis loquamur, contento promere animi voluntatem nihilque arcessiti et elaborati requirente; quidquid huc sit adjectum, id esse adfectationis et ambitiosae in loquendo iactantiae, remotum a veritate fictumque ipsorum gratia verborum, quibus solum natura sit officium attributum, servire sensibus: sicut athletarum corpora, etiamsi 41
validiora fiant exercitatione et lege quadam ciborum, non tamen esse naturalia atque ab illa specie, quae sit concessa hominibus, abhorrere. Quid enim, inquiunt, attinet circuitu res ostendere et translationibus, id est aut pluribus aut alienis verbis, cum sua cuique sint adsignata nomina? Denique antiquissimum quemque max- 42
ime secundum naturam dixisse contendunt; mox poetis similiores extitisse, etiamsi parcius, simili tamen ratione, falsa et impropria virtutes ducentis. Qua in disputatione nonnihil veri est, ideoque non tam procul, quam fit a quibusdam, recedendum a propriis atque communibus. Si quis 43
tamen, ut in loco dixi compositionis, ad necessaria, quibus nihil minus est, aliquid melius adiece-

rit, non erit hac calumnia reprehendendus. Nam mihi aliam quandam videtur habere naturam sermo vulgaris, aliam viri eloquentis oratio; cui si res modo indicare satis esset, nihil ultra verborum proprietatem elaboraret; sed cum debeat delectare, movere, in plurimas animum audientis species impellere, utetur his quoque adiutoriis,
44 quae sunt ab eadem nobis concessa natura; nam et lacertos exercitatione constringere et augere vires et colorem trahere, naturale est. Ideoque in omnibus gentibus alius alio facundior habetur et eloquendo dulcis magis. Quod si non eveniret, omnes pares essent; at idem homines aliter de re alia loquuntur et servant personarum discrimina. Ita, quo quisque plus efficit dicendo, hoc magis
45 secundum naturam eloquentiae dicit. Quapropter ne illis quidem nimium repugno, qui dandum putant nonnihil etiam temporibus atque auribus, nitidius aliquid atque effectius postulantibus. Itaque non solum ad priores Catone Gracchisque, sed ne ad hos quidem ipsos oratorem alligandum puto. Atque id fecisse M. Tullium video, ut cum plurimum utilitati, tum partem quandam delectationi daret; cum et suam se rem agere diceret,
46 ageret autem maxime litigatoris; nam hoc ipso proderat, quod placebat. Ad cuius voluptates nihil equidem quod addi possit invenio, nisi ut sensus nos quidem dicamus pluris; neque enim non fieri potest, salva tractatione causae et dicendi auctoritate, si non crebra haec lumina et
47 continua fuerint et invicem offecerint. Sed me hactenus cedentem nemo insequatur ultra; do tempori, ne hirta toga sit, non ut serica, ne intonsum caput, non ut in gradus atque anulos comptum; cum eo quod, si non ad luxuriam ac libidinem referas, eadem speciosiora quoque sint, quae honestiora. Ceterum hoc, quod vulgo senten-48
tias vocamus, quod veteribus praecipueque Graecis in usu non fuit, (apud Ciceronem enim invenio) dum rem contineant et copia non redundent et ad victoriam spectent, quis utile neget? Feriunt animum et uno ictu frequenter impellunt et ipsa brevitate magis haerent et delectatione persuadent.

At sunt qui haec excitatiora lumina, etiamsi 49
dicere permittant, a componendis tamen orationibus excludenda arbitrentur. Quocirca mihi ne hic quidem locus intactus est omittendus; nam plurimi eruditorum aliam esse dicendi rationem, aliam scribendi putaverunt, ideoque in agendo clarissimos quosdam nihil posteritati mansurisque mox litteris reliquisse, ut Periclem, ut Demaden; rursus alios ad componendum optimos, actionibus idoneos non fuisse, ut Isocraten; prae- 50
terea in agendo plus impetum valere plerumque et petitas vel paulo licentius voluptates; commovendos enim esse ducendosque animos imperitorum; at quod libris dedicatum in exemplum edatur, id tersum ac limatum et ad legem ac regulam compositum esse oportere, quia veniat in manus doctorum et iudices artis habeat artifices. Quin illi subtiles, ut sibimet ac multis persuase- 51
runt, magistri παράδειγμα dicendo, ἐνθύμημα scribendo esse aptius, tradiderunt. Mihi unum atque idem videtur bene dicere ac bene scribere, neque aliud esse oratio scripta quam monumen-

tum actionis habitae. Itaque nullas non, ut opinor, debet habere virtutes, virtutes dico, non vitia. Nam imperitis placere aliquando quae
52 vitiosa sint, scio; quo different igitur? Quodsi mihi des consilium iudicum sapientium, perquam multa recidam ex orationibus non Ciceronis modo, sed etiam eius, qui est strictior multo, Demosthenis. Neque enim adfectus omnino movendi erunt, nec aures delectatione mulcendae, cum etiam prooemia supervacua esse apud talis Aristoteles existimet; non enim trahentur his illi sapientes; proprie et significanter rem indi-
53 care, probationes colligere, satis est. Cum vero iudex detur aut populus aut ex populo, laturique sint sententiam indocti saepius atque interim rustici, omnia, quae ad obtinendum, quod intendimus, prodesse credemus, adhibenda sunt; eaque et cum dicimus promenda et cum scribimus ostendenda sunt, si modo ideo scribimus, ut docea-
54 mus quomodo dici oporteat. An Demosthenes male sic egisset, ut scripsit, aut Cicero? aut eos praestantissimos oratores alia re quam scriptis cognoscimus? Melius egerunt igitur an peius? Nam si peius, sic potius oportuit dici, ut scripserunt; si melius, sic potius oportuit scribi, ut
55 dixerunt. Quid ergo? Semper sic aget orator, ut scribet? Si licebit, semper. Quodsi impediant brevitate tempora a iudice data, multum ex eo, quod oportuit dici, recidetur; editio habebit omnia. Quae tamen secundum naturam iudicantium dicta sunt, non ita posteris tradentur, ne
56 videantur propositi fuisse, non temporis. Nam id quoque plurimum refert, quomodo audire

iudex velit, atque eius vultus saepe ipse rector est dicentis, ut Cicero praecipit. Ideoque instandum iis, quae placere intellexeris, resiliendum ab iis, quae non recipientur. Sermo ipse, qui facillime iudicem doceat, optandus. Nec id mirum sit, cum etiam testium personis aliqua mutentur. Prudenter enim, qui cum interrogasset rusticum 57
testem, an Amphionem nosset, negante eo, detraxit aspirationem breviavitque secundam eius nominis syllabam, et ille eum sic optime norat. Huiusmodi casus efficiunt, ut aliquando dicatur aliter quam scribitur, cum dicere, quomodo scribendum est, non licet.

Altera est divisio, quae in tris partis et ipsa 58
discedit, qua discerni posse etiam recte dicendi genera inter se videntur. Namque unum subtile, quod ἰσχνὸν vocant, alterum grande atque robustum, quod ἁδρὸν dicunt, constituunt, tertium alii medium ex duobus, alii floridum (namque id ἀνθηρὸν appellant) addiderunt. Quo- 59
rum tamen ea fere ratio est, ut primum docendi, secundum movendi, tertium illud, utrocumque est nomine, delectandi sive, ut alii dicunt, conciliandi praestare videatur officium; in docendo autem acumen, in conciliando lenitas, in movendo vis exigi videatur. Itaque illo subtili praecipue ratio narrandi probandique consistet, sed saepe id etiam detractis ceteris virtutibus suo genere plenum. Medius hic modus et translationibus cre- 60
brior et figuris erit iucundior, egressionibus amoenus, compositione aptus, sententiis dulcis, lenior tamen ut amnis lucidus quidem, sed virentibus utrimque ripis inumbratus. At ille, 61

qui saxa devolvat et pontem indignetur et ripas sibi faciat, multus et torrens iudicem vel nitentem contra feret cogetque ire, qua rapiet. Hic orator et defunctos excitabit, ut Appium Caecum, apud hunc et patria ipsa exclamabit, aliquandoque, ut Ciceronem in oratione contra
62 Catilinam in senatu, alloquetur. Hic et amplificationibus extollet orationem, et in superlationem quoque erigetur: quae Charybdis tam vorax? et Oceanus medius fidius ipse; nota sunt enim iam studiosis haec lumina. Hic deos ipsos in congressum prope suum sermonemque deducet: vos enim Albani tumuli atque luci; vos, inquam, Albanorum obrutae arae, sacrorum populi Romani sociae et aequales. Hic iram, hic misericordiam inspirabit; hoc dicente iudex deos appellabit et flebit et per omnes adfectus tractatus huc atque
63 illuc sequetur nec doceri desiderabit. Quare si ex tribus his generibus necessario sit eligendum unum, quis dubitet hoc praeferre omnibus, et validissimum alioqui et maximis quibusque cau-
64 sis accommodatissimum? Nam et Homerus brevem quidem cum iucunditate et propriam (id enim est non deerrare verbis) et carentem supervacuis eloquentiam Menelao dedit, quae sunt virtutes generis illius primi; et ex ore Nestoris dixit dulciorem melle profluere sermonem, qua certe delectatione nihil fingi maius potest; sed summam expressurus in Ulixe facundiam, et magnitudinem illi vocis et vim orationis nivibus hibernis et copia verborum atque impetu
65 parem tribuit. Cum hoc igitur nemo morta-

lium contendet; hunc ut deum homines intuebuntur. Hanc vim et celeritatem in Pericle miratur Eupolis, hanc fulminibus Aristophanes comparat, haec est vere dicendi facultas.

Sed neque his tribus quasi formis inclusa elo- 66
quentia est. Nam ut inter gracile validumque tertium aliquid constitutum est, ita horum inter se intervalla sunt, atque inter haec ipsa mixtum quiddam ex duobus medium est eorum. Nam et 67
subtili plenius aliquid atque subtilius et vehementi remissius atque vehementius invenitur, ut illud lene aut ascendit ad fortiora aut ad tenuiora summittitur. Ac sic prope innumerabiles species reperiuntur, quae utique aliquo momento inter se differant, sicut quattuor ventos generaliter a totidem mundi cardinibus accepimus flare, cum interim plurimi medii et eorum varia nomina, et quidam etiam regionum ac fluminum proprii, deprehenduntur. Eademque musicis ratio est, qui, cum 68
in cithara quinque constituerunt sonos, plurima deinde varietate complent spatia illa nervorum, atque his, quos interposuerunt, inserunt alios, ut pauci illi transitus multos gradus habeant.

Plures igitur etiam eloquentiae facies, sed 69
stultissimum quaerere, ad quam se recturus sit orator, cum omnis species, quae modo recta est, habeat usum, atque id ipsum non sit oratoris, quod vulgo genus dicendi vocant. Utetur enim, ut res exiget, omnibus, nec pro causa modo, sed pro partibus causae. Nam ut non eodem 70
modo pro reo capitis et in certamine hereditatis et de interdictis ac sponsionibus et de certa credita dicet, sententiarum quoque in senatu et contio-

num et privatorum consiliorum servabit discrimina, multa ex differentia personarum, locorum temporumque mutabit: ita in eadem oratione aliter concitabit, aliter conciliabit, non ex isdem haustibus iram et misericordiam petet, alias ad docendum, alias ad movendum adhibebit artis.
71 Non unus color prooemii, narrationis, argumentorum, egressionis, perorationis servabitur. Dicet idem graviter, severe, acriter, vehementer, concitate, copiose, amare, comiter, remisse, subtiliter, blande, leniter, dulciter, breviter, urbane;
72 non ubique similis, sed ubique par sibi. Sic fiet cum id, propter quod maxime repertus est usus orationis, ut dicat utiliter, et ad efficiendum, quod intendit, potenter, tum laudem quoque, nec doctorum modo, sed etiam vulgi consequatur.
73 Falluntur enim plurimum, qui vitiosum et corruptum dicendi genus, quod aut verborum licentia exultat aut puerilibus sententiolis lascivit aut immodico tumore turgescit aut inanibus locis bacchatur aut casuris, si leviter excutiantur, flosculis nitet aut praecipitia pro sublimibus habet aut specie libertatis insanit, magis existimant
74 populare atque plausibile. Quod quidem placere multis nec infitior nec miror; est enim iucunda auribus ac favorabilis qualiscumque eloquentia et ducit animos naturali voluptate vox omnis, neque aliunde illi per fora atque aggerem circuli; quo minus mirum est, quod nulli non agentium
75 parata vulgi corona est. Ubi vero quid exquisitius dictum accidit auribus imperitorum, qualecumque id est quod modo se ipsi posse desperent, habet admirationem, neque immerito; nam

ne illud quidem facile est. Sed evanescunt haec atque emoriuntur comparatione meliorum, ut lana tincta fuco citra purpuras placet; at si contuleris Tyriae eam lacernae, conspectu melioris obruatur, ut Ovidius ait. Si vero 76
iudicium his corruptis acrius adhibeas ut fucinis sulphura, iam illum, quo fefellerant, exuant mentitum colorem et quadam vix enarrabili foeditate pallescant. Lucent igitur haec citra solem, ut quaedam exigua animalia igniculi videntur in tenebris. Denique mala multi probant, nemo improbat bona.

Neque vero omnia ista, de quibus locuti su- 77
mus, orator optime tantum, sed etiam facillime faciet. Neque enim vim summam dicendi et os admiratione dignum infelix usque ad ultimum sollicitudo persequitur nec oratorem macerat et coquit aegre verba vertentem et perpendendis coagmentandisque eis intabescentem. Nitidus 78
ille et sublimis et locuples circumfluentibus undique eloquentiae copiis imperat; desinit enim in adversa niti, qui pervenit in summum. Scandenti circa ima labor est; ceterum quantum processeris, mollior clivus ac laetius solum. Et si 79
haec quoque iam lenius supina perseverantibus studiis evaseris, inde fructus inlaborati offerunt sese et omnia sponte proveniunt; quae tamen cotidie nisi decerpantur, arescunt. Sed et copia habeat modum, sine quo nihil nec laudabile nec salutare est, et nitor ille cultum virilem et inventio iudicium. Sic erunt magna, non nimia; sub- 80
limia, non abrupta; fortia, non temeraria; severa, non tristia; gravia, non tarda; laeta, non

luxuriosa; iucunda, non dissoluta; grandia, non tumida. Similis in ceteris ratio est ac tutissima fere per medium via, quia utriusque ultimum vitium est.

CAPUT XI.

QUAE POST FINEM STUDIA.

XI. His dicendi virtutibus usus orator in iudiciis, consiliis, contionibus, senatu, in omni denique officio boni civis finem quoque dignum et optimo viro et opere sanctissimo faciet; non quia prodesse umquam satis sit et illa mente atque illa facultate praedito non optandum operis pulcherrimi quam longissimum tempus, sed quia decet hoc quoque prospicere, ne quid peius, quam fece-
2 rit, faciat. Neque enim scientia modo constat orator, quae augetur annis, sed voce, latere, firmitate; quibus fractis aut imminutis aetate seu valetudine cavendum est, ne quid in oratore summo desideretur, ne intersistat fatigatus, ne quae dicet parum audiri sentiat, ne se quaerat priorem.
3 Vidi ego longe omnium, quos mihi cognoscere contigit, summum oratorem, Domitium Afrum valde senem, cotidie aliquid ex ea, quam meruerat, auctoritate perdentem, cum agente illo, quem principem fuisse quondam fori non erat dubium, alii, quod indignum videatur, riderent, alii erubescerent; quae occasio fuit dicendi, malle eum
4 deficere quam desinere. Neque erant illa qualiacumque mala, sed minora. Quare antequam in

has aetatis veniat insidias, receptui canet et in portum integra nave perveniet.

Neque enim minores eum, cum id fecerit, studiorum fructus prosequentur. Aut ille monumenta rerum posteris aut, ut L. Crassus in libris Ciceronis destinat, iura quaerentibus reddet aut eloquentiae componet artem aut pulcherrimis vitae praeceptis dignum os dabit. Fre- 5
quentabunt vero eius domum optimi iuvenes more veterum et vere dicendi viam velut ex oraculo petent. Hos ille formabit quasi eloquentiae parens, et ut vetus gubernator litora et portus et, quae tempestatum signa, quid secundis flatibus, quid adversis ratio poscat, docebit, non humanitatis solum communi ductus officio, sed amore quodam operis; nemo enim minui velit id, in quo 6
maximus fuit. Quid porro est honestius quam docere quod optime scias? Sic ad se Caelium deductum a patre Cicero profitetur, sic Pansam, Hirtium, Dolabellam in morem praeceptoris exercuit cotidie dicens audiensque. Ac nescio an 7
eum tum beatissimum credi oporteat fore, cum iam secretus et consecratus, liber invidia, procul contentionibus famam in tuto collocarit et senti-
et vivus eam, quae post fata praestari magis solet, venerationem et, quid apud posteros futurus sit, videbit.

Conscius sum mihi, quantum mediocritate 8
valui, quaeque antea scierim, quaeque operis huiusce gratia potuerim inquirere, candide me atque simpliciter in notitiam eorum, si qui forte cognoscere voluissent, protulisse. Atque id viro bono satis est, docuisse quod sciret. Vereor 9

tamen, ne aut magna nimium videar exigere, qui eundem virum bonum esse et dicendi peritum velim aut multa, qui tot artibus in pueritia discendis morum quoque praecepta et scientiam iuris civilis praeter ea, quae de eloquentia tradebantur, adiecerim, quique haec operi nostro necessaria esse crediderint, velut moram rei perhor-
10 rescant et desperent ante experimentum. Qui primum renuntient sibi, quanta sit humani ingenii vis, quam potens efficiendi quae velit, cum maria transire, siderum cursus numerosque cognoscere, mundum ipsum paene dimetiri minores, sed difficiliores artes potuerint. Tum cogitent, quantam rem petant, quamque nullus sit, hoc
11 proposito praemio, labor recusandus. Quod si mente conceperint, huic quoque parti facilius accedent, ut ipsum iter neque impervium neque saltem durum putent. Nam id, quod prius quodque maius est, ut boni viri simus, voluntate maxime constat; quam qui vera fide induerit, facile eas-
12 dem, quae virtutem docent, artis accipiet. Neque enim aut tam perplexa, aut tam numerosa sunt quae praecipiuntur, ut non paucorum admodum annorum intentione discantur. Longam enim facit operam, quod repugnamus: brevis est institutio vitae honestae beataeque, si cedas naturae. Natura enim nos ad mentem optimam genuit, adeoque discere meliora volentibus promptum est, ut vere intuenti mirum sit illud magis,
13 malos esse tam multos. Nam ut aqua piscibus, ut sicca terrenis, circumfusus nobis spiritus volucribus convenit, ita certe facilius esse oportebat secundum naturam quam contra eam vivere.

Cetera vero, etiamsi aetatem nostram non spatio senectutis, sed tempore adulescentiae metiamur, abunde multos ad discendum annos habent; omnia enim breviora reddet ordo et ratio et modus. Sed culpa est in praeceptoribus prima, qui liben- 14
ter detinent quos occupaverunt, partim cupiditate diutius exigendi mercedulas, partim ambitione, quo difficilius videatur esse quod pollicentur, partim etiam inscientia tradendi vel neglegentia. Proxima in nobis, qui morari in eo quod novimus, quam discere quae nondum scimus, melius putamus. Nam ut de nostris potissimum studiis 15
dicam, quid attinet tam multis annis, quam in more est plurimorum (ut de his, a quibus magna in hoc pars aetatis absumitur, taceam) declamitare in schola et tantum laboris in rebus falsis consumere, cum satis sit modico tempore imaginem veri discriminis et dicendi leges comperisse? Quod non dico, quia sit umquam omittenda di- 16
cendi exercitatio, sed quia non in una sit eius specie consenescendum. Res varias cognoscere et praecepta vivendi perdiscere et in foro nos experiri potuimus, dum scholastici sumus. Discendi ratio talis, ut non multos poscat annos. Quaelibet enim ex iis artibus, quarum habui mentionem, in paucos libros contrahi solet, adeo non est infinito spatio ac traditione opus. Reliqua est exercitatio quae vires cito facit, cum fecit, tuetur. Rerum cognitio cotidie crescit, et tamen quam 17
multorum ad eam librorum necessaria lectio est, quibus aut rerum exempla ab historicis aut dicendi ab oratoribus petuntur? Philosophorum quoque consultorumque opiniones, sicuti alia, ve-

limus legere, nec, quod ne fieri quidem potest, omnia. Sed breve nobis tempus nos facimus;
18 quantulum enim studiis partimur? Alias horas vanus salutandi labor, alias datum fabulis otium, alias spectacula, alias convivia trahunt. Adice tot genera ludendi et insanam corporis curam, peregrinationes, rura, calculorum anxiam sollicitudinem, invitamenta libidinum et vinum et flagrantes omni genere voluptatum animos: ne
19 ea quidem tempora idonea, quae supersunt. Quae si omnia studiis impenderentur, iam nobis longa aetas et abunde satis ad discendum spatii videretur vel diurna tantum computantibus tempora; ut nihil noctes, quarum bona pars omni somno longior est, adiuvarent. Nunc computamus annos, non quibus studuimus, sed quibus viximus.
20 Nec vero si geometrae et musici et grammatici ceterarumque artium professores omnem suam vitam, quamlibet longa fuerit, in singulis artibus consumpserunt, sequitur ut pluris quasdam vitas ad plura discenda desideremus. Neque enim illi didicerunt haec usque in senectutem, sed ea sola didicisse contenti fuerunt ac tot annos non in percipiendo exhauserunt, sed in praecipiendo.
21 Ceterum, ut de Homero taceam, in quo nullius non artis aut opera perfecta aut certe non dubia vestigia reperiuntur: ut Eleum Hippiam transeam, qui non liberalium modo disciplinarum prae se scientiam tulit, sed vestem et anulum crepidasque, quae omnia manu sua fecerat, in usu habuit, atque ita se praeparavit, ne cuius alterius opere egeret: inlusisse tot malis, quot summa senectus habet, universae Graeciae credimus, Gorgiam,

qui quaerere auditores, de quo quisque vellet, iubebat. Quae tandem ars digna litteris Platoni 22
defuit? Quot saeculis Aristoteles didicit, ut non solum, quae ad philosophos atque oratores pertinent, scientia complecteretur, sed animalium satorumque naturas omnis perquireret? Illis haec invenienda fuerunt, nobis cognoscenda sunt. Tot nos praeceptoribus, tot exemplis instruxit antiquitas, ut possit videri nulla sorte nascendi aetas felicior quam nostra, cui docendae priores elaborarunt. M. igitur Cato idem sum- 23
mus imperator, idem sapiens, idem orator, idem historiae conditor, idem iuris, idem rerum rusticarum peritissimus fuit; inter tot operas militiae, tantas domi contentiones, rudi saeculo, litteras Graecas aetate iam declinata didicit, ut esset hominibus documento, ea quoque percipi posse, quae senes concupissent. Quam multa, paene 24
omnia tradidit Varro! Quod instrumentum dicendi M. Tullio defuit? Quid plura? cum etiam Cornelius Celsus, mediocri vir ingenio, non solum de his omnibus conscripserit artibus, sed amplius rei militaris et rusticae et medicinae praecepta reliquerit, dignus vel ipso proposito, ut eum scisse omnia illa credamus.

At perficere tantum opus arduum, et nemo 25
perfecit. Ante omnia sufficit ad exhortationem studiorum, capere id rerum naturam, nec, quidquid non est factum, ne fieri quidem posse; tum omnia, quae magna sunt atque admirabilia, tempus aliquod quo primum efficerentur habuisse; nam et poesis ab Homero et Vergilio tantum 26
fastigium accepit et eloquentia a Demosthene at-

que Cicerone. Denique quidquid est optimum, ante non fuerat. Verum etiamsi quis summa desperet, (quod cur faciat, cui ingenium, valetudo, facultas, praeceptores non deerunt?) tamen est, ut Cicero ait, pulchrum in secundis terti-
27 isque consistere. Neque enim, si quis Achillis gloriam in bellicis consequi non potest, Aiacis aut Diomedis laudem aspernabitur, nec qui Homeri non, Tyrtaei. Quin immo si hanc cogitationem homines habuissent, ut nemo se meliorem fore eo, qui optimus fuisset, arbitraretur, hi ipsi, qui sunt optimi, non fuissent, neque post Lucretium ac Macrum Vergilius nec post Crassum et Hortensium Cicero, sed nec illi, qui post
28 eos fuerunt. Verum ut transeundi spes non sit; magna tamen est dignitas subsequendi. An Pollio et Messala, qui iam Cicerone arcem tenente eloquentiae agere coeperunt, parum in vita dignitatis habuerunt, parum ad posteros gloriae tradiderunt? Alioqui pessime de rebus humanis perductae in summum artes mererentur, si, quod
29 optimum, fuisset. Adde quod magnos modica quoque eloquentia parit fructus, ac, si quis haec studia utilitate sola metiatur, paene illi perfectae par est. Neque erat difficile vel veteribus vel novis exemplis palam facere, non aliunde maiores opes, honores, amicitias, laudem praesentem, futuram hominibus contigisse: nisi indignum litteris esset, ab opere pulcherrimo, cuius tractatus atque ipsa possessio plenissimam studiis gratiam refert, hanc minorem exigere mercedem, more eorum, qui a se non virtutes, sed voluptatem,
30 quae fit ex virtutibus, peti dicunt. Ipsam igitur

orandi maiestatem, qua nihil dii immortales melius homini dederunt, et qua remota muta sunt omnia et luce praesenti ac memoria posteritatis carent, toto animo petamus nitamurque semper ad optima, quod facientes aut evademus in summum aut certe multos infra nos videbimus.

Haec erant, Marcelle Victori, quibus praecepta 31
dicendi pro virili parte adiuvari posse per nos videbantur, quorum cognitio studiosis iuvenibus si non magnam utilitatem adferet, at certe, quod magis petimus, bonam voluntatem.

NOTES.

Grammatical references are made to the Latin grammars of Harkness, Zumpt, and Madvig, designated respectively by H., Z., and M.

Roman numerals, except in grammatical notes, refer to the books of the Institutions.

NOTES

ON THE

INSTITUTIONS OF QUINTILIAN.

BOOK X.

HOW TO ATTAIN READINESS AND POWER IN SPEECH.

THE Tenth Book treats of the studies and exercises necessary to the actual possession and ready command of the elements of good oratory described in the preceding books. These exercises must supplement theoretical knowledge (*cognitio*). They are mainly three: *reading*, *writing*, and *declamation*. But with reading is naturally associated, also, *hearing;* and in these two the aim is partly the command of diction (*copia verborum*), and partly the *imitation* of good qualities in general. Writing involves the consideration of *method*, *emendation*, and *form;* and declamation may be prepared by *writing*, or *premeditation*, or may be purely *extemporary*. Hence, the book is divided into seven chapters: the first on *reading*, including also *hearing*, the second on *imitation*, as an appendix to the first, the third on the *manner of writing*, the fourth on *emendation*, the fifth on the *material* and *form* of writing, the sixth on *premeditation*, and the seventh (last in order, though first in importance) on *extemporary declamation*.

CHAPTER I.

COMMAND OF LANGUAGE OBTAINED FROM READING AND HEARING.

1-4. Introductory to the entire book, rather than to the first chapter alone. Which of the three exercises, *writing*, *reading*, and *speaking*, contributes most to ready command of speech (*firma facilitas*), is a question of little practical importance, since all three are indispensable.

Yet, in fact, the practice of speaking is the most important (*ante omnia*), as being the essential and characteristic thing in oratory, and as originally the only one of the three taught by the rhetoricians in their first attempts at a system or art of rhetoric (*hinc initium eius artis fuisse, manifestum est*). Afterward, imitation, or reading and hearing, the basis of imitation, and finally writing, were also found necessary as preliminary studies, and were embodied in this art. But the question in entering upon the present book is, the *order* of treatment; and this will not be the order of the relative importance of the three; for, as in all other studies, we attain the chief or ultimate object (*summa*) by starting from subsidiary beginnings (*principia*), so here, reading and writing will be first taken up, as the preliminary conditions of effective speech, and then will follow the discussion of speaking or declamation, as the more immediate preparation for public speaking. Thus the things which are first in order (*prima*) will in the end become relatively unimportant (*minima*), and speaking, as the exercise which is permanently essential to success, and can never be remitted,* will take precedence.

But it must be remembered (*verum*, etc.) that the object of the present book is not to teach the principles or theory of rhetoric, already fully discussed in the preceding books, but to point out the exercises by means of which the student can put in practice what he has learned in theory.

1. haec eloquendi praecepta. The reference is especially to the rhetorical or stylistic principles taught in the eighth and ninth books. Comp. vii, 10, 17, at the end. **sicut—ita,** as also *ut—ita*, sometimes express the relation of "though—yet." So *quemadmodum—sic*, 5, 17. **cognitioni,** here *theoretical knowledge*, as opposed to *vim dicendi*, or actual *oratorical power*. **firmâ facilitas,** *an habitual readiness* or *well-grounded habit*. The equivalent in xii, 9, 21 is *vires facilitatis*.

2. indiscreta, *inseparable*. **multo stilo,** *with much labor of the pen*. **citra,** in the post-Augustan writers, is frequent for *sine*. **fluitabit,** *will be afloat; will be vague, confused;* not piloted, as it were (*carens rectore*) by good examples. Comp. vii, prooem. 3. **in procinctu,** *in line of battle*, or *ready for conflict;* a figure not used by Cicero. If the practice of declamation, especially extemporary, is not cultivated, so as to keep the orator always armed and ready for the emergencies of the forum, all that he has gained by the use of the pen and the study of books will be like the useless hoard of a miser (*velut clausis thesauris incubabit*). **quae dicenda** refers to invention; **quo modo,** to style or expression (*elocutio*).

* See Chapter VII, § 24.

3. protinus, *at once, immediately, at the very first*. That which is most essential and most characteristic (as here, the practice of speaking) is not necessarily taken up first in the order of study. **ut—sic,** *according as—so*. **ante omnia** sometimes indicates order of time and place, and sometimes of rank or importance. Here, as in iv, 2, 125, xii, 2, 1, it is to be taken in the latter signification. See introductory note on 1–4. Speaking *is* the most essential practice for the orator, and the beginning of the *science* or system of instruction (*artem*) *was* the exercise of speaking alone; but now, since imitation and writing have become parts of this course of training, they are taken up and discussed before that which came before them in the historical development of the art; while the latter is reserved for the last part of our teaching; or as the last topic of the present book. **imitationem, diligentiam,** supply *fuisse*, depending on *manifestum est*.

4. athleta, *our athlete; orator noster velut athleta*. **numeros,** *elements, parts*, or *principles;* a usage of *numerus* derived from the practice in the gymnasium of indicating the various movements and postures of the athlete by numbers. Comp. xii, 2, 12. **qui sciet, perceperit.** In works of instruction the future is often used in intermediate relative clauses instead of the subjunctive perfect; as 5, 10, 13, 17, etc.

5-15. Only by reading and hearing can the orator acquire an ample supply or equipment of words (*copia verborum*); and while these are learned in their best usage by reading the best writings and by hearing the best orators (*optima legendo atque audiendo*), by this means also the student has access to actual examples of all the rhetorical principles taught in the schools (*omnium quae docemus*) in the way of theory.

6. causae, *cases* or *causes;* in the legal or technical sense. **propria,** *literal*. **nota;** so as to be recognized when seen or heard. **in promptu—in conspectu,** *in readiness, and, as it were*, (always) *in view*, through the actual and habitual use of them.

7. solitos (*esse*); sc. *declamatores*, or *discipulos*. Our author quite frequently leaves these words, and also *orator* and *lector*, to be understood. **cuiusdam,** *a certain kind*. This pronoun often implies that the writer is using a word with some

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peculiar meaning, or that it comes nearest to the expression of his idea. In this usage it may be rendered variously: *as it were, so to speak, in some sense, in some measure, a kind of, something like*, etc. Comp. 76, 81, xii, 10, 17, et al. **infelicis operae**, *of fruitless work.* **congregat, occupat.** See above on *solitos.* **sine discrimine.** This constitutes the fault.

8. quod: sc. *nomen.*

9. nam is elliptical here, as frequently: "and we may go even farther," *for.* It may be translated *indeed, and indeed, nay, more*, etc. **iamborum**; lampoons or satirical lyrics of a personal character, invented by Archilochus, and thus named because the iambus was the predominant foot. Hor. A. P. 79: *Archilochum proprio rabies armavit iambo.* Examples are found among the epodes of Horace. See §§ 59, 96. **in illis**, *in the use of these* (*parum verecundis*). **nostrum opus intueri**, *to have regard to our own work;* that of the orator alone.

10. ut sciamus, norimus; dependent on *adsequi.* See H. 498, ii. **formas mensurasque**; *forms and measures;* the effect of words, so far as it depends upon their form and their rhythmical elements. The orator, more or less consciously, in the composition of his phrases and sentences hits upon words which not only convey his meaning, but also are most pleasing in sound. But the effect, in respect to sound, depends partly on the *shape* of the word, that is, on the elemental sounds (represented by letters) of which it is formed (see viii, 3, 16), and partly on the feet and measures which words make in the composition. The commentators generally take *forma* here to mean the *grammatical* forms of inflection; but at the advanced stage of rhetorical education implied in the teachings of the present book, our author would hardly think of prescribing exercises for learning declensions and conjugations. **iussu regum.** Herodotus, 2, 2, tells us that such an experiment was made by the Egyptian king Psammetichus. Confirmation, if any were needed, of Quintilian's remark, is afforded in the accounts, given by some of our recent missionaries in India, of young children rescued from the dens of wolves, who had evidently carried them away in infancy. Two such children, recently in the Sundra mission school, are described by the superintendent, Rev. J. Erhardt, in his report of 1873, as being still unable to make

known their wants in any way but "half smothered whines" and "most unearthly sounds."

11. sunt autem, etc. The necessity of attention to reading and hearing, in order to learn the proper usage of words, is illustrated by several examples. **alia, alia**, *some, other;* sc. *verba.* **vocibus**; *sounds* or *forms*, as distinguished from *verba*, here referring more particularly to the sense. **significationis**, *as to the meaning.* So vii, 2, 20: *nihil interest actionum.* The regular form would be *ad significationem.* H. 408, iv; Z. 450. **propria**, *literal*, taken in their literal signification. τροπικῶς, *tropically;* "by a turn," or change of application. **quasi** is printed in Spalding's text without brackets, on the ground that Quintilian intended to suggest by *quasi* that this substitution of *ferrum* for *mucro* had become too common to be recognized as a trope. **feruntur**, *are adapted; conveyed.*

12. nam. See on § 9. **abusionem**, *catachresis;* violent, or bold metaphor. See viii, 2, 5.

13. ex proximo mutuari, *to borrow from something analogous. intellego, sentio, video*, and *scio* express analogous ideas; are *in proximo* to each other. **quomodo occurrent.** Comp. § 7, ad. fin.

14. inter se idem faciunt, *reciprocally express the same idea.* **ostendit**=*indicat, significat.*

15. ut—ita. See on § 1. **omnium**; all the principles pertaining to a system of rhetoric. **hoc** is correlated to the following, *quia; for this reason—because.* **etiam ipsis—artibus**, *even than* (rhetorical) *theories themselves* (however excellent) *which are taught* in the schools. *Artes* is not infrequently thus used for rules, precepts, or theories. **sine demonstrante**, *without a guide or teacher.*

16-19. The comparative advantages of hearing and reading.

16. alia—adiuvant, *some benefits aid hearers*, etc., or *some benefits attend hearing, others reading. Alia* does not refer to some particular kinds of speeches, but has a cognate meaning with the verb. In the passive form the reading would be: *aliter audientes adiuvantur aliter legentes*, or, *aliter audiendo discipulus adiuvatur aliter legendo.* **spiritu ipso**, *by his very spirit, by his living voice, by his living* (or *personal*) *presence;*

without the cold medium of written symbols; explained below in *vivunt omnia et moventur*, etc. **ambitu**; *an outline drawing.* The written speech is only a silent picture of the real and living speech. **iudicii**, *the trial.* It is the *judicial* orator that Quintilian has chiefly in mind.

17. actio embraces either the whole idea of "delivery," or, as here, where it is distinguished from *vox* and *pronuntiare*, it means simply *gesture*, or the management of the person. Comp. 7, 9. **pronuntiandi**; in the general sense of delivery, taking in both voice and gesture. In iii, 3, 1, and xi, 3, 1, Quintilian observes that *actio* and *pronuntiatio* are used indifferently (*utraque appellatione uti licet*), both alike including voice and gesture. **vel potentissima.** xi, 3, 6: *Demosthenes, quid esset in toto dicendi opere primum interrogatus, pronuntiationi palmam dedit, eidemque secundum ac tertium locum.* Cicero, in quoting the same passage from Demosthenes (Brut. 38), uses *actio* instead of *pronuntiatio.* The word "action," often used in expressing the sentiment of Demosthenes in English, is likely to convey a wrong idea. **semel**, *in short.* **suus cuique favor**, *his* (the auditor's) *particular preference for each* (or *for any one*). The relation of *favor* to its object is expressed by *in* (Tacit. Hist. 1, 53), by *erga* (id. Germ. 33) and *pro* (Quint. Inst. iv, 1, 9); the dative here may be referred to H. 392, i; M. 244, obs. 5. **ille clamor.** Besides those who were interested for one side or the other, idlers were often brought together (*conrogatis*) for a fee to applaud the speakers in the courts. See iv, 2, 37. The younger Pliny, in Ep. 2, 14, expresses his disgust at the practice.

18. cum interim, *while at the same time, while nevertheless.*

19. gratiam non referant, *fail to award due praise.* **ut actionis impetus**, *as (like) the movement of speaking;* which leaves the mind no *free* moment of reflection, but holds its attention *bound* to the swiftly passing arguments of the orator. Reading is not necessarily continuous. **repetamus**, *let us review, let us read over.* **tractemus**, *let us criticise.* **digerantur**, for *concoquantur*, in the English sense of *digest*, applied to food. So *digestum cibum*, xi, 2, 35. In the comparison *mollita* answers to *mansos*, and *confecta* to *liquefactos.* So Bonnell.

20–26. In the study of speeches our reading should at first be slow and critical, with careful attention to parts and passages, and followed by a review of the whole; and the subjects and "causes" to which they relate should be studied, and also speeches on both sides, and even others on the same side should be read, if accessible.

20. nonnisi in the post-Augustan age takes on the sense of *tantum*, and in this sense is written as one word. *fallat;* that is, as a model of style. **ad scribendi sollicitudinem**, *with (according to) the careful deliberation of writing;* just as thoughtfully and slowly as in writing. **perlectus**, *after it has been read through.* **quoque**; often as here, in the sense of *etiam, even.*

21. saepe enim, etc. Comp. xii, 9, 4. **actionis**, *argument, speech, oration;* as frequently. **summa**, *last.* **repetenda**; as in § 19. **suo loco**, *in their place;* taken by themselves alone, and without a knowledge of their bearing on the whole argument.

22. nosse causas; to be acquainted with all the facts and the history of cases or questions. **Demosthenis et Aeschinis** (*actiones*); the orations in the case *de corona*, or *against Ctesiphon.* **pro Aufidia.** The case of Aufidia is not mentioned elsewhere. **reo Asprenate**, *when Asprenas was on trial; in the trial of Asprenas.* Gaius Nonius Asprenas, a friend of Augustus, was prosecuted by Cassius for poisoning, and defended by Pollio.

23. si minus pares; even if somewhat inferior as examples of oratory. **requirentur**; often in the sense of "hunt up," *read up*, or *study.* **Ciceronis orationes**: that is, *pro Ligario* and *in Verrem.* **Tuberonis, Hortensii**; sc. *oratio.* **easdem causas**, etc.; how each orator argued (*egerit*) the same cases, or on the same side. **Calidius**; one of the younger orators commended by Cicero in the Brutus, 274, as *non unus e multis, potius inter multos prope singularis.* **pro Milone.** Brutus wrote this speech, not to deliver in public, but *exercitationis gratia.* In it he argued that Milo was justified in the killing of Clodius by the fact that he was a bad citizen; whereas, Cicero based his defense on the allegation that Clodius had formed an ambuscade for the murder of Milo. M. Junius Brutus, to whom Cicero was tenderly attached, was born B. C. 85, and perished at

Philippi B. C. 42. **egisse,** *to have* actually *delivered it;* opposed to *scripsit.* **Celsus.** See on § 124.

24. Voluseno Catulo; not mentioned elsewhere. **Domitii Afri.** See Introduction, page 11, and below, § 118. **Crispi Passieni**; called by Suetonius (Nero, 6) the stepfather of Nero. **Decimi Laelii**; possibly the Laelius Balbus spoken of by Tacitus (Ann. 6, 47) as the prosecutor of Acutia. **ferebantur,** *used to be spoken of; were well known,* or *in circulation.* **neque id,** etc.; an additional admonition to the reader. **statim,** *at once,* or *as a matter of course;* with *persuasum sit.* **auctores** in Quintilian's time gets the sense of *scriptores,* without the notion of "authority." There is a transition of the thought here from orators to writers in general. **labuntur**; often in the sense of "slip in judgment," *err;* as below in § 94. As to the thought comp. 2, 15. **oneri,** *the burden;* the exhausting toil of authorship, and the greatness of their themes. **indulgent—voluptati,** *give free rein to the pleasure of* conscious *genius.* Comp. § 98. Marked examples are Stesichorus (§ 62), Aeschylus (§ 66), and Ovid (§§ 88, 98). **dormitare.** The remark, repeated in xii, 1, 2, can not be found in the extant writings of Cicero; though he says, in Orat., 104, that Demosthenes "does not always satisfy his ear." **interim.** as frequently, for *nonnumquam,* or *aliquando.* Comp. 3, 7. **Horatio.** See A. P. 359.

26. plerisque, *very many.* **in alteram partem,** *on one side or the other.*

27-36. Not only from the study of speeches but also from that of the poets, historians, and philosophers can the orator gain much; from poetry a more elevated spirit and diction (27-30), from history *a rich and genial aliment* (*uberi iucundoque suco*) (31-34), and from philosophy familiarity with the principles of ethics and dialectics, and the laws of nature, as well as acuteness in controversy (35, 36); but the orator must avoid those characteristics of each which are not suitable for speeches.

27. Theophrastus. See § 83. **neque immerito,** *and not without reason;* frequent in Quintilian to introduce the ground of a foregoing statement. Comp. § 79. **spiritus,** *liveliness, animation, a higher tone.* Comp. 5, 4. **motus omnis,** *every emotion,* or *kind of emotion.* From them is learned the effective way of appealing to every feeling of the soul. Comp. 2, 27.

in personis decor, *fitness* (or *propriety*) *in respect to persons;* that is, correct judgment in adapting speech to the person or persons to whom it relates; in the case of the advocate, to himself, the judges and the client. See § 71, 2, 27; 3, 15. vi, 1, 25: *prosopopoeiae, id est fictae alienarum personarum orationes quales litigatorem decent vel patronem.* Comp. Horace, A. P. 156, sqq. **actu,** *speaking* or *pleading.* **rerum talium blanditia,** *the charm* (or *restful pleasure*) *of such studies.* **Cicero putat.** *Orat. pro Archia,* 6.

28. figurarum. The reference is to word-figures, as illustrated by the examples in § 12. **genus—comparatum,** *that it is a kind* (of writing) *composed for entertainment.* Supply *esse* depending on *meminerimus.* **ostentationi**; of course, in no disparaging sense; the notion is "beauty of presentation." The author means that poetry is "epideictic" in its character, and has not in view, like forensic oratory, an immediate and practical end. **praeter id quod,** *besides the fact that;* frequent in Quintilian for *praeterquam quod.* Comp. 2, 26, 3, 6. **patrocinio—iuvari,** *that it is favored also by some indulgence.*

29. adligata; supply *poesis;* which the writer has unconsciously substituted in his mind for *genus* (*poeticum*). **propriis,** *simple, direct,* or *inartificial terms.* **eloquendi deverticula,** *by-ways of expression.* **mutare verba,** *to change the use of words;* including both *libertate verborum* and *licentia figurarum.* **extendere, corripere,** *to lengthen, contract.* **convertere,** *to transpose;* remove from their usual order. **dividere,** *to separate;* that is, by tmesis: as Vergil, Aen. 1, 610 *quae* me *cumque* vocant terrae; and Georg. 3, 381; *septem* sub iecta *trioni.* **nos**; that is, advocates. **stare**; in the same construction as *esse sequendos,* etc.

30. neque, *but not;* as in 80; 5, 5, and 7, 4. **ergo**; namely, because I have given this caution to the orator about too close imitation of the poetic manner. **habenti periculosus.** The characteristic beauties of poetry, aiming simply to please the taste and delight the fancy, if employed by the practical speaker, either disgust the judges or withdraw their attention from the point at issue, and thus weaken or endanger his cause.

31. et ipsa; as well as poetry. Comp. § 28. **sic ut scia-**

mus, *in such a way that we keep in mind;* in such a manner as to keep the fact in mind, that, etc. **carmen solutum,** *a poem without meter; solutum ab necessitate pedum,* not *adligatum.* **totum opus,** this *whole class of work,* the whole body of historical work. *Opus* as *genus* in § 28. Comp. 35, 64, 67, 69, 70, 72, 96, 123; 2, 21. **ad actum rei,** *for the doing of a thing, for action.* Others, *for the arguing of a case.* **pugnam**; the conflict of debate, *pugna forensis.* **remotioribus,** as *libertate verborum* in § 28, refers to the employment of less common terms than in oratory, or of words more removed from their every-day usage.

32. ut dixi; namely, in iv, 2, 45, where he makes a similar remark in connection with the proper style of narrative in judicial speeches. **aures vacuas atque eruditas**; generally true of readers, as compared with the juryman (*iudicem*), *occupatum variis cogitationibus et saepius ineruditum;* for, as with us, the juryman, appointed by the praetor directly or by lot, was not learned in the law. See Smith's Dict. of Antiq., art. *iudex.* **nobis**; that is, *oratoribus.* **lactea ubertas**; *milky richness*; expressive of a style, genial, copious, and pure; the same as described in ii, 5, 19, by the terms *candidissimum* and *maxime expositum,* and partially in § 101, by *clarissimi candoris.* Opposite qualities would be *ieiunus* (*meager*), *aridus* (*dry*), and *lutulentus* (*muddy*). **eum**; the *iudex.* **speciem expositionis,** *beauty of narration.*

33. adde quod; quite frequent in Quintilian for *praeterea.* Comp. 2, 10, 11, 12. **Thucydiden, Xenophontem**; the nearest Greek prototypes of Sallust and Livy. Comp. 73, 82. **bellicum canere,** *to sound the war signal;* his style is stirring like a battle signal. Cic. Orat. 12, 39. **musas esse locutas.** Cic. Orat. 19, 62. **toros,** *brawn.* **lacertos,** *tough sinews.* Comp. § 77. **Demetrius Phalereus.** See § 80. Cic. Brut. 9, 38: *hic* (Demetrius) *primus inflexit orationem et eam mollem teneramque reddidit.* **versicolorem vestem**; a metaphor descriptive of a style too ornamental for the forum. viii, prooem. 20: *versicolor elocutio.* **bene facere,** *to serve well.*

34. historiis. For this use of the plural see on § 75. **praesentem locum.** The present topic is "copia verborum." **a litigatore,** *from the client;* from him the essential facts of

the case must be learned. See xii, 8, 7, 15. **diligenter cognita,** *well understood;* thoroughly investigated; for without this an ingenious and more learned opponent may turn the supposed historical analogy, or some supposed precedent, against the adversary who has quoted it. **sumat.** Supply *ut;* the positive form of the purpose being suggested by the foregoing negative *ne expectet.* **criminibus odii,** etc. The statements of parties in a suit and those of their witnesses must often be received by the court with more or less distrust, on account of charges (*criminibus*) and suspicions of enmity or of personal interest (*gratiae*). See v, 11, 36, 37.

35. nobis. See on § 32. **qui quidem—cesserunt.** Cicero and Quintilian insist upon the truth that philosophy, and especially moral philosophy, is a legitimate part of the orator's equipment, and the orator and rhetorician should never have "withdrawn from this noblest part of their work," and left it to the philosophers. See 1, prooem. 10, 13, xii, 2, 8. Cic. de Or. 3, 15: *neque disiuncti doctores, sed iidem erant vivendi praeceptores atque dicendi.* **iustis—contraria,** indicates the topics of moral philosophy, or the things pertaining to human conduct and society, *res humanae.* **rebus divinis** includes divinity and the divine creation; all things which do not proceed from the human mind and will; the philosophy of nature in the widest sense of nature. See also on xii, 2, 20. **altercationibus,** *debates, interpellations;* the brief passages of controversy which often occur in trials, sometimes when an advocate is interrupted in the course of his plea by a question from the opposite side, but more frequently during the examination of witnesses. This kind of forensic sparring is called by Quintilian, in vi, 4, 2, *actio brevis,* the *short speech,* as opposed to *actio perpetua,* or the *continuous speech.* **interrogationibus,** *interrogatories;* questioning and cross-questioning of witnesses. **Socratici,** *the Socratic writers;* the writers of the Socratic form of dialogue, Plato, Xenophon, and Aeschines Socraticus. v, 7, 28: *in quibus* (*Socraticis*) *adeo scitae sunt interrogationes, ut, cum plerisque bene respondeatur, res tamen ad id, quod volunt efficere, perveniat.*

36. his quoque, *to these also;* as well as to the poets and historians. See § 28, 31. **sciamus.** See on § 31. **in rebus iisdem**; *on the same topics;* questions of right and wrong, etc.,

common to the law and philosophy. **disputationum,** *philosophical discussions.* **periculorum,** *judicial trials.*

37–42. In laying out a plan of reading for the present purpose our author can not be expected to notice individually (*persequi singulos*) all the writers in both languages; though it is his judgment in general (*iudicii summa*) that almost all writers, whether old (*qui vetustatem pertulerunt*) or new, are worth reading, at least in part; but the present object is to read what is profitable for the formation of style (*ad faciendam phrasin*), and not that which is valuable in relation to some branch of knowledge (*quidquid ad aliquam partem scientiae pertinet*).

37. persequi singulos, *to notice all individually;* to go through the whole line of authors one by one.

38. omnibus aetatis suae qui tum vivebant, includes only the orators of his own times, *who were then living;* that is, all of his contemporaries who were living at the time of the writing of the Brutus, B. C. 46. In the Brutus, 65, 231, Cicero says: *quoniam in hoc sermone statui neminem eorum, qui viverent, nominare, . . . eos, qui iam sunt mortui, nominabo.* Accordingly he gives a very minute account of the orators of his own times who have passed away, but of his *living* contemporaries he mentions none but Caesar and Marcellus. In the case of these two he makes an exception in compliance with the request of Brutus. See Brut. 71, 248. For the usual reading, *quibuscum vivebat,* which is conjectural, and has been adopted from the Aldine edition, I have substituted *qui tum vivebant,* one of the proposed emendations given in the margin of Halm's text. The manuscripts here are entirely at variance, and quite unintelligible. *Aetatis suae,* taken by itself, would embrace either the whole career of Cicero as an orator, about thirty-five years, to the time here spoken of, or else his life from the time when he began to hear the orators of the forum as a student (B. C. 90), a period of forty-four years. Brut. 88, 303: *hoc* (Hortensius) *igitur florescente, Crassus est mortuus, Cotta pulsus, iudicia intermissa bello, nos* (Cicero) *in forum venimus.* **et illos;** namely, the *living* contemporaries of Cicero. After *si* supply *persequi velim.*

39. apud Livium. This letter of the historian Livy is also referred to in ii, 5, 20, and probably in viii, 2, 18.

40. nostri iudicii summa, *my opinion in general* or *in brief;* as opposed to the notice of all writers individually. Comp. 3, 9. What the substance or gist of this opinion is, he gives in the following statement introduced by *enim.* **vetustatem pertulerunt,** *have stood the test of time; survived antiquity,* or *the past.* **vetustissimis;** Quintilian has in mind here the writers and orators of the period from about B. C. 200 to 120. Of these Cicero in the Brutus singles out especially Cato (Brut. 15, 61, sqq.) and Gaius Gracchus (33, 125). But in general Quintilian uses *veteres* and *antiqui* of the times of Cicero himself as well as his predecessors, and *novi* of those of the post-Augustan period. See ii, 5, 23.

41. quotus enim quisque, etc., *for how rarely can an author be found so destitute of common sense as not to have hoped for the memory of future times with even the smallest confidence at least in some portion* (of his writings). Almost every author must have had judgment enough not to have published a book without the consciousness that there was something in it worth reading, at least here and there. **fiducia** is the reason or ground of *speraverit.* **partis** is an objective genitive after *fiducia.* **detrimento,** *loss,* or *cost;* an ablative of price.

42. protinus, *at once, as a matter of course, necessarily.* **ad faciendam phrasin,** *for the formation of style.* Comp. § 87, and viii, 1, 1. *phrasin facere,* may be compared with *vires facere,* 3, 3, and *usum facere,* 3, 28.

43–45. Preliminary to the proposed sketch of typical authors a word must be said about the different opinions or tastes of orators and critics on the several schools and styles of eloquence; especially of the prejudices of some who stand opposed to each other as the admirers respectively of the old writers (*veteres*) and the moderns (*novi*), and of the difference in taste and genius which leads even those (*ipsi*) who approve the best type of eloquence (*rectum dicendi genus*) to adopt only one of the three kinds into which it is divided.

43. veteres; here in the sense mentioned in note on § 40. **recens haec lascivia deliciaeque,** *this meretricious and foppish style of our own day.* See Introduction, p. 20; and on *lascivus,* § 88.

44. ipsorum qui—volunt. Those who are partisans neither of the *veteres* nor of the *novi,* but seek to attain that true standard of eloquence which finds some examples in all periods.

This one right kind, not like the *recens et lascivum*, overwrought with prinkish ornament, and calling away the attention from the substance to the form, but always aiming to convey the thought in the clearest and most effective manner, the kind which is true to nature, is termed in ii, 5, 11, *sermo rectus et secundum naturam enuntiatus*, and in ix, 3, 3, *simplex rectumque loquendi genus.* It had been brought to great perfection by the Greeks, and by Cicero and some of his contemporaries. See Introduction, p. 19. Though termed here a *genus*, it is itself divided into three kinds, also called *genera:* 1, the simple, terse, concise, almost conversational (*tenue, subtile, pressum, quod minimum ab usu quotidiano recedit*); 2, the grand, broad, lofty, stirring, passionate (*grande, amplum, elatum, concitatum*); 3, the flowing, plastic, polished, smooth, melodious, intermediate (*lene, nitidum, suave, compositum, medium*). See xii, 10, 58. Cicero (Orat. 5, 20), referring to these three kinds, says *tria sunt omnino genera dicendi, quibus in singulis quidam floruerunt, peraeque autem, id quod volumus, perpauci in omnibus.* In the judgment of Quintilian Cicero fully attained his desire of excellence in all three. See § 108. **pressa**, *compact, sententious;* akin to **tenuia**, *simple;* fine-spun, as it were; free from all superfluity of words, terse. **demum**, as often, in the sense of *only;* implying that some conclusion has been reached as the only thing that remains to be accepted after every alternative has been considered. **vere Attica putant.** These take an altogether too narrow view of what is embraced in the term Attic; for it comprehends the best examples of all three *genera.* Quintilian protests against this misrepresentation of the Attic school in xii, 10, 21, sqq.; and Cicero, in the Brutus, 82, 284; 84, 290. **compositi**, *harmonious;* rhythmical. **cum de genere quaerendum erit**; in xii, 10. **summatim**, *in a general way, briefly.* **facultatem dicendi**; the "firma facilitas" of § 1.

45. ne queratur; elliptical; I say this, *lest*, etc. **studiosis** refers here especially to students of forensic oratory. **genera ipsa**, *the particular kinds.* In *genera* here and in § 104, Quintilian seems to mean classes or kinds, as represented by their characteristic or typical writers. **existimem**; H. 503.

46–84. A SKETCH OF REPRESENTATIVE GREEK AUTHORS OF

THE CLASSES OR GENERA MOST PROFITABLE FOR THE STUDENT OF ORATORY.

46–59. Epic poets, or writers of narrative and didactic poems in hexameter verse: Homer, Hesiod, Antimachus, Panyasis, Apollonius, Aratus, Theocritus; and a word in passing about the Elegiac poets, the chief of whom are Callimachus and Philetas.

46. Aratus. See on § 55. The didactic poem of Aratus entitled "Phaenomena," opens with the words ἐκ Διὸς ἀρχώμεσθα, *we must begin with Zeus.* **videmur**; sc. *nobis;* as in § 56, *videor* (*mihi*). **coepturi**; the future participle instead of the infinitive after *videmur.* So in v, prooem. 5: *divisuri videmur.* **ex oceano—capere.** Hom. Il. 21, 195: Ὠκεανοῖο, ἐξ οὗπερ πάντες ποταμοὶ καὶ πᾶσα θάλασσα καὶ πᾶσαι κρῆναι καὶ φρείατα μακρὰ νάουσιν. **omnibus—dedit.** The essential elements and parts of practical oratory, of which Homer affords such abundant examples, are: 1, the three *genera dicendi*, indicated respectively by the terms *sublimitas* (the *genus elatum*), *proprietas* and *pressus* (the *genus tenue*), and *laetus* (the *genus nitidum*) (§ 46); 2, the two classes of practical speeches, judicial and legislative or deliberative (*litium ac consiliorum*) (§ 47); 3, the mastery of the affections (*adfectus*) (§ 48); 4, the four principal parts of a regular forensic speech: the *ingressus, prooemium*, or *exordium*, the narration or statement of the facts, the argumentative part, embracing the *genera probandi ac refutandi*, the peroration, or closing appeal (*epilogus*) (§§ 48, 49, 50); 5, well-chosen terms, well-put thoughts (*sententiae*), lively figures, and everywhere clear arrangement (*dispositio*) (§ 50). In this notice of Homer and in that of Cicero (§ 105, sqq.), and of Seneca (§ 125 sqq.), Quintilian introduces more of detail than in his brief remarks on the rest of the authors in his sketch. In general his plan, as indicated above in §§ 44, 45, is to mention the typical writers of different departments of literature best adapted to the purposes of the orator or forensic advocate, and in a few words to point out their characteristics with particular reference to their fitness as exemplars of oratorical style, or φράσις. As this is his sole aim, so distinctly stated, the strictures of some critics on the brevity and meagerness of these notices show that they have failed to comprehend the purpose of the author. **proprietate,**

in simplicity; strictly, the quality of being literal (*proprius*), unfigurative, plain. Comp. §§ 6 and 11; 5, 8, et al. **superaverit**; *potential.* **laetus**, *ornate, exuberant;* a metaphor for a rich, flowery, and beautiful style; the *genus nitidum;* opposed to *pressus*, pruned, trimmed down, *concise;* kindred in meaning here to its use as a metaphor for richness of vegetation, as in Verg, Georg. 1, 74; 3, 385; and for the good condition of well-fed cattle, id. Aen. 3, 220. **iucundus**, *sprightly, lively; pleasing, agreeable, entertaining;* relieving the description of stern conflict with passages of entertaining narrative, and occasionally even of playfulness and humor. **gravis**, *serious.*

47. laudibus, exhortationibus, consolationibus. Eulogistic, hortatory, and consolatory addresses pertain to the non-practical, or epideictic kind of speeches. Our author will not dwell upon Homer's excellence in this class, but pass on to his admirable fitness for study with reference to forensic and legislative debates (*litium ac consiliorum*). **artes**; *arts*, in a good sense; all the oratorical methods properly employed in lawsuits and in deliberative assemblies.

48. adfectus, *feelings, affections;* here, and generally in Quintilian, both those which are emotional and powerful (*concitati*), as anger, terror, grief; and the mild, gentle, quiet (*mites, compositi*), as benevolence, friendship, piety. The latter class, as being in general an *habitual* and *characteristic* condition of individual minds, the Greeks called ἦθος; the former, on the contrary, is for the most part occasional, and more positive, and therefore called πάθος, passion. Quintilian says of ἦθος (vi, 2, 8), that the Roman language has no name for it. Therefore the term *adfectus*, though it signifies a positive influencing or impelling of the soul, and strictly corresponds only to πάθος, is applied by usage to both of these classes of feeling, or conditions of mind. They are treated of in vi, 2, 8, sqq. Comp. also § 73, 101. **utriusque operis**; that is, of the Iliad and Odyssey. Horace, A. P. 140, sqq., quotes the opening verses of the latter as a model exordium. **benevolum**, etc.; iv, 1, 5: *causa principii (ingressus) nulla alia est quam ut auditorem, quo sit nobis in ceteris partibus accommodatior, praeparemus. Id fieri tribus maxime rebus constat, si benevolum, attentum, docilem fecerimus.* **intentum.** iv, i, 33: *plerumque attentum iudicem facit.*

si res agi videtur nova, magna, atrox, etc. **docilem.** iv, i, 34: *docilem sine dubio et haec ipsa praestat attentio; sed et illud, si breviter et dilucide summam rei, de qua cognoscere debeat, indicaverimus; quod Homerus atque Vergilius operum suorum principiis faciunt.* **summa**, *the scope, the theme.* **celeriter**, *briefly.*

49. qui nuntiat; Antilochus. Il. 18, 18, sqq. **qui exponit**; that is, Phoenix. id. 9, 529, sqq. **significantius**, *more clearly.* **iam**, *again, now again;* marking a transition, as in § 98. **similitudines**, etc. This passage relates to the argumentative part of a speech. **amplificationes.** The various rhetorical means of amplifying or expanding and enforcing ideas, are discussed in viii, 4, 3, sqq., under the heads of *incrementum, comparatio, ratiocinatio*, and *congeries.* **signa rerum**, *the evidence of facts;* sensible proofs of things; as *cruenta vestis, clamor, color*, etc.; to be distinguished from **argumenta**, *inferences;* logical deductions from circumstantial facts. v, 10, 11: *cum sit argumentum ratio . . . quae quod est dubium per id, quod non est dubium, confirmat.* **genera**; here, *forms, ways.* Comp. 5, 2. **etiam qui**, etc. Even those who have written on the principles (*artibus*) of rhetoric, and not on the art of poetry, make Homer their authority for such principles. **testimonia**, *illustrations;* confirmatory examples of the power and beauty of these things; namely, similitudes, amplifications, etc.

50. nam. See on § 9. "But I have not said all"; *for.* **epilogus.** As the advocate, in his closing appeal or peroration, deals chiefly with the feelings and passions, he will find many pathetic and emotional passages in Homer, such as the petition of Priam to Achilles (Il. 24, 486, sqq.), which will be helpful in this part of his work. **sententiis**, *thoughts;* pithy sayings. *Sententia*, or "thought," in this frequent sense, includes not only the thought conceived in the mind, but also its felicitous embodiment in words. It is a use of the word midway between its meaning of pure thought, judgment, or opinion, as in § 99, xii, 1, 36, and that of grammatical sentence, period, or *comprehensio verborum*, as in § 130 and 5, 7. It may be rendered, according to the connection, *thought, idea, proverb, maxim, aphorism.* **magni**, etc.; genitive of price; *it is* (a matter) *of great value; worth much.* It may be taken, however, in the sense of *magni viri;* a reading actually given in some MSS.

51. in omni genere eloquentiae, *in every kind of style.* See on § 46. **epicos**; writers of narrative and didactic poems in hexameter verse. **clarissima comparatio,** *the contrast is most striking.*

52. Hesiodus. Hesiod of Askra in Boeotia, lived about B. C. 850. His ἔργα καὶ ἡμέραι, "Works and Days," is a didactic poem in epic form, or heroic hexameter, as also the θεογονία, or origin of the gods and the world, a work commonly ascribed to the same author, though on questionable authority. **pars eius**; metonymy for *pars eius operis.* **in nominibus.** This would seem to refer especially to the "Theogony." **tamen**; though in general unfitted to the oratorical style. **circa praecepta,** *in respect to moral principles, doctrines,* or *teachings.* **sententiae.** See on § 50. A book of "proverbs" might be gathered from the "Works and Days." **levitas,** etc., *the smoothness of his diction and rhythm.* **compositionis.** See on §§ 44 and 79. **probabilis**; in the predicate, like *utiles.* **medio genere.** See on § 44.

53. Antimacho. Antimachus of Claros in the dominion of Colophon, lived about 405 B. C. His greatest work was entitled Thebais, or the Thebaid; a voluminous epic narrative of the wars of the Seven Heroes of Thebes and of the Epigoni. Fragments of this and of his other poems have been preserved. **secundas** (*partes*); *the second place;* a stage term. The Greek critics, indeed, assigned to him a rank second to Homer; but Quintilian, below, § 86, claims this place for Vergil among all poets, both Greek and Roman. **grammaticorum.** This term in Latin was applied to learned literary critics, such as Aristarchus and Aristophanes among the Greeks, and Gnipho and Hyginus among the Romans. **quanto sit aliud,** etc. It seems to be implied here that the Greek critics would have expressed themselves more accurately, if they had called Antimachus *next* (*proximus*), and not *second* to Homer. Horace, O. 1, 10, 18–20, says that nothing exists similar or *second* to Jupiter, but that Pallas holds the place of honor *next* to him (*proximos illi tamen occupavit honores*). Thus one may be called *proximus,* but not strictly *second,* who comes nearest to the first, though by a wide interval, or far below in level or grade. No one, unless of royal blood and in the line of succession, can properly be called second to a prince, and no poet in the time of the Greek grammarians of Alexandria had shown such kinship to Homer as to be placed in the same high grade or class, and therefore to be ranked as second to him, for he stood alone on that high level. Vergil, however, in the estimation of Quintilian, has won a position on this highest plane, and therefore deserves to be called not only second to Homer, but even nearer than second. See § 85.

54. Panyasin. Panyasis of Halicarnassus, author of an epic poem on the deeds of Hercules (*Heracleia,* or *Heracleias*), lived about B. C. 490. Fragments of his "Heraclead" are extant. Another work, the "Ionica," is entirely lost. **utroque** refers to Hesiod and Antimachus. **putant**; sc. *grammatici, the critics.* Quintilian has in mind especially the judgment expressed by Dionysius of Halicarnassus. **alterum-materia**; Hesiod, whose themes are not heroic. **Apollonius**; surnamed Rhodius, because he was honored with the citizenship of Rhodes, though born in Alexandria, and about B. C. 196 librarian of the Alexandrian library. His epic, the "Argonautica," or account of the expedition of the Argonauts, is still extant. Translations and imitations of it were written in Latin by Atacinus Varro and by Valerius Flaccus. See on §§ 87 and 90. **in ordinem,** etc., *into the classification given by the critics;* namely, those of Alexandria, of whom Aristophanes of Byzantium (B. C. 264) and Aristarchus (B. C. 200) were the most noted, and both in charge of the Alexandrian library. The categories of approved authors drawn up by them constituted what they called the *canon* (κανών), termed here *ordo,* and generally followed by Quintilian in this sketch of Greek writers. **aequali-mediocritate**; not in a disparaging sense; *of a certain uniform and medium excellence;* join with *opus.* Comp. § 86.

55. Arati. Aratus of Soli in Cilicia, under the patronage of Antigonus Gonatus of Macedon, at whose court he resided B. C. 270, wrote a didactic epic poem on the heavenly bodies and meteorology, entitled Φαινόμενα καὶ Διοσημεῖα (*Phaenomena et Prognostica*), which is still extant. It was translated into Latin by Cicero and afterward by Caesar Germanicus, the nephew of Tiberius. A paraphrase of it was also written by Avienus in the 4th century of our era. **motu caret,** etc. The paraphrase of Avienus, written long after Quintilian's time, alleviated this

fault by varying the monotony of the astronomical detail with myths and traditions which involved action (*motus*), passion (*adfectus*), and living character (*persona*). **Theocritus**, of Syracuse, the most distinguished writer of idyls or pastorals, lived at Alexandria under Ptolemy Philadelphus and at Syracuse under Hiero, in the third century B. C.

56. plurimorum poetarum. Here, of course, the reference is especially to those who wrote in heroic hexameter. **acta**; supply *canit*. **Pisandros**, of Cameiros in Rhodes, about B. C. 645, wrote the "Heracleia," an epic narrative of the deeds of Hercules. **Nicandrum.** Nicander, whose two didactic poems, called **Θηριακὰ καὶ Ἀλεξιφάρμακα** (*venomous animals and poison-cures*), are still extant, lived at the court of Eumenes II and Attalus II of Pergamus about B. C. 150. **frustra**, *without good reason*. **Macer.** Aemilius Macer of Verona, a friend of Vergil and Ovid, wrote two poems, the "Ornithogonia" (*bird-breeding*) and "Theriaca," no remains of which are in existence. Vergil "followed" Nicander only in occasional passages of his poems; as Georg. III, 415, sqq.; 425, sqq., et al. **Euphorionem.** Euphorion of Chalcis lived in the time of Antiochus the Great, B. C. 215, and among other works wrote a **Ἡσίοδος**, probably a Georgic, or agricultural poem. Only fragments of his writings remain. The passage of Vergil referred to is Ecl. x, 50: *Chalcidico quae sunt mihi condita versu carmina, pastoris Siculi modulabor avena.* As Euphorion is of Chalcis, his verse is styled by Vergil "Chalcidic." **Horatius**, etc. See A. P. 401. **Tyrtaeum.** Tyrtaeus was a soldier and poet, supposed by some to have been a native of Athens, or Aphidna in Attica, by others of Lacedaemon, or of Miletus. He became a leader of the Lacedaemonians in the second Messenian war, about B. C. 680, and contributed to their success by his wise counsels and by his battle songs.

57. indicem certe, etc. Any one can at least make out a list of them in some private or public library, and note their titles in his memoranda (*libros*). **nec utique**, *nor by any means*. **ut qui dixerim.** § 40.

58. iam—viribus, *when now our* (the student's) *strength shall have been developed and established:* i. e., by the reading of the epics best adapted to our present purpose. Comp. §§ 59 and 131. **ut** introduces the explanation of *quod facimus* in the

form of a result. Comp. 3, 6; 5, 18; 7, 11. **tunc**; namely, when our strength shall have been established. **elegiam.** The elegy is characterized by Horace, A. P. 75–78, as *exiguus*, and as employed for the expression of feeling. **Callimachus**, of Cyrene, one of the Alexandrian poets, and librarian B. C. 260. **Philetas**, of Cos, instructor of Ptolemy Philadelphus, died about B. C. 290.

59. sed dum adsequimur; *but while we are attaining;* as opposed to the time anticipated in the foregoing *iam perfectis viribus*, and *tunc*. **ut dixi.** See § 1. **ducendus**, *to be contracted, formed.* Krüger quotes Vergil, Ecl. 9, 49: *duceret apricis in collibus uva colorem.* Comp. xii, 10, 71. **color**; sometimes, as here, *style*, or characteristic phraseology adapted to the occasion; sometimes *disguise* or *dissimulation*, in a good or bad sense, and also *extenuation*, *excuse*, etc. Comp. § 131; and 6, 5.

59–64. Of the iambic poets the typical writer is Archilochus; the lyric poets are represented by Pindar, Stesichorus, and Alcaeus.

itaque, *therefore* (passing by the elegiac poets). **ex tribus.** The three iambic writers admitted (*recepti*) into the canon of Aristarchus (see on § 54) are Archilochus of Paros (B. C. 700), Simonides of Samos or Amorgos (B. C. 660), Hipponax of Ephesus (B. C. 540). **iamborum.** See on §§ 9 and 96. **maxime unus.** See H. 444, 3; Z. 691.

60. elocutionis, *expression, style*, **φράσις**. **validae, breves, vibrantes**, *powerful, concise, brilliant.* **sententiae.** See on § 50, and comp. xii, 9, 3. **quod quoquam minor est**, *the* (fact) *that he comes behind any* (even the foremost of poets). This clause is the subject of *videatur*. For this usage of *quisquam* see H. 457, M. 491, b. **materiae vitium**, *the fault of his subject matter;* mainly personal character and conduct in common life, not admitting of the range and elevation of epic poetry.

61. novem. Of the nine lyric poets admitted into the "canon" those not mentioned here are Bacchylides, Ibycus, Anacreon, Alcman, and Sappho. **Pindarus**, born at Thebes 521, died 441 B. C. Of his many works only the "Epinicia," or Triumphal Odes, have come down to us. **spiritus.** See on § 27. **sententiis**; as in § 50. **beatissima**; metaphorically

for *very fertile, prolific, exuberant, rich.* **Horatius.** Hor. O. 4, 2, 1, sqq.

62. Stesichorus of Himera, in Sicily, flourished about B. C. 625, and is especially famed either for inventing or perfecting the Doric choral ode. Fragments of his poems are extant. **epici—sustinentem.** He treats successfully in the lyric form the warlike themes which are more especially the material of epic poetry. **si tenuisset modum.** Quintilian thinks that he gave too free rein to his imagination and eloquence. So of Ovid, §§ 88, 98. **ut, ita.** See on § 1. **copiae vitium est.** This very fault is a proof of superior power. ii, 4, 4: *peius tamen illud (vitium) quod ex inopia quam quod ex copia venit.*

63. Alcaeus; of Mitylene, in Lesbos, B. C. 600. **aureo plectro.** Hor. O. 2, 13, 26. **tyrannos.** These were Myrsilus and Pittacus. That portion of the lyrics (*parte operis*) of Alcaeus, which relates to the ten years' civil war waged against these tyrants, was called στασιωτικά. Fragments of his poems have been preserved. **in eloquendo,** *in style, diction.* **sed et lusit,** *but he also trifled;* but his muse was also playful. Hor. O. 1, 32: *Venerem et illi semper haerentem puerum canebat, et Lycum.* **maioribus—aptior**; *more gifted, however, for higher themes* (than for love-songs); *maioribus* is neuter.

64. Simonides of Ceos, from 556 to 449 B. C., noted for his epigrams, dithyrambs, epinician odes, and for his elegies; to be distinguished from Simonides of Samos, mentioned in the note on § 59. There are but few remains of his poems. **tenuis alioqui,** *though meager;* though without richness. He lacked copiousness and force; but in pathos, *in commovenda miseratione,* Dionysius regards him as superior even to Pindar. **quidam,** though plural, probably has special reference to the opinion of Dionysius. See on § 54. **in hac parte,** *in this part* or element of the poet's work or function. **eius operis,** *of that* (lyrical) *work,* or *class* of poetry.

65–72. The old comedy is represented by Aristophanes, Eupolis, and Cratinus; tragedy by Aeschylus, Sophocles, and Euripides; the new comedy by Menander and Philemon.

65. antiqua comoedia, *the old comedy,* or the Attic comedy in its first form and character, as distinguished from the

later, in which both the chorus of the old comedy, and also its freedom (*libertas*) of personal satire, were abolished. **sinceram gratiam,** *simple beauty;* the quality expressed below by *elegans et venusta* (*pure and graceful*); consisting in the use of the pure Attic, characteristic of born Athenians in their common conversation. Comp. § 100. **facundissimae libertatis,** *of the most out-spoken freedom; indulging in the boldest license of speech.* **praecipua,** *most conspicuous.* It was characterized especially by its unsparing ridicule and satire of vice and folly. **in ceteris partibus,** *in its other elements* or *qualities;* those, namely, which are immediately mentioned. **grandis**; in those passages where the subject rises above the ordinary level of comedy. Hor. A. P. 93: *interdum et vocem comoedia tollit.* **ulla**; supply *poesis,* as in § 29. **ut Achillen,** etc. Hom. Il. 2, 673: Νιρεύς, ὃς κάλλιστος ἀνὴρ ὑπὸ Ἴλιον ἦλθε τῶν ἄλλων Δαναῶν μετ' ἀμύμονα Πηλείωνα. **eius,** sc. *comoediae.* **Aristophanes,** the most famous of the comic poets, flourished at Athens B. C. 427. **Cratinus** was older than Aristophanes, **Eupolis,** younger. Horace associates the names in Sat. 1, 4, 1. Of the fifty-four plays of Aristophanes eleven have been preserved. None of those of Eupolis and Cratinus are extant.

66. Aeschylus; born in Eleusis, probably B. C. 525, died at Gela, in Sicily, B. C. 456. **in plerisque,** *in most parts* or *places; in general;* that is, as compared with his more finished successors. **incompositus,** *inharmonious.* **correctas eius fabulas,** etc. That the tragedies of Aeschylus were again brought into competition (*in certamen*) some time after his death for the tragic prize, is probably true; but Boeckh thinks the statement that they were "corrected" is unfounded. **coronati,** *crowned;* honored with a prize, and reproduced on the stage.

67. opus. See on § 31. **Sophocles, Euripides.** The former was born at Colonos, in Attica, B. C. 495, and died B. C. 405. The latter was born in Salamis, on the day of the battle of Salamis, fifteen years later, and died in B. C. 406.

68. quod ipsum; the very fact that his language (*sermo*) is more akin to that of practical speaking (*oratorio generi*). **cothurnus,** a metonymy for *tragic style.* **sententiis densus,** *compact with, crowded with, abounding in thoughts, apothegms,*

or *maxims.* See on § 50. Euripides had been a disciple of Anaxagoras. **iis quae—tradita sunt**; especially the principles and precepts of ethical philosophy. **miseratione**, *in moving compassion.* Comp. § 64.

69. ut saepe testatur. No such testimony is found, however, in any of the remaining fragments of Menander. **in opere diverso**, *in a different kind of work*; comedy, as distinguished from tragedy. **Menander**, of Athens, called *princeps novae comoediae*, lived from 342 to 291 B. C. Only fragments are now extant of his numerous plays, the character of which may be partially understood from those of Terence, his Roman imitator. Of his imitation of Euripides, Schlegel, quoted in Smith's Dict. of Anc. Biogr., Art. Menander, remarks: "Euripides was the forerunner of the New Comedy; the poets of this species admired him especially, and acknowledged him for their master. Nay, so great is this affinity of tone and spirit between Euripides and the poets of the New Comedy, that apothegms of Euripides have been ascribed to Menander, and vice versa. On the contrary, we find among the fragments of Menander maxims of consolation which rise, in a striking manner, even into the tragic tone." **copia, facultas.** Supply *est.*

70. nec nihil viderunt, *nor have* (those critics) *lacked discrimination.* They have manifested a proper insight into the excellence of some parts of the plays of Menander as models of oratory, in expressing the opinion that he actually wrote the speeches ascribed to Charisius. Charisius was an Athenian orator, contemporary with Demosthenes. **in opere suo**, etc., *in his own work* (as a writer of comedy) *I think he proves himself an orator far more* (than in these speeches of Charisius; supposing him to have composed them). **nisi forte** implies an absurd hypothesis. **mala**; predicate after *sunt.* **iudicia**, *judicial arguments;* speeches suitable to be made before a court. **Epitrepontes**, etc., titles of some of the lost plays of Menander: *The Trusting, The Heiress, The Locri, The Timid Man, The Lawyer, The Changeling.* **meditationes**, *studies, law-school speeches, declamations.* iv, 2, 29: *declamatio forensium actionum (est) meditatio.* **omnibus oratoriis numeris**, *all the elements* or *principles of oratory.* Comp. § 91.

71. adhuc for *etiam* (*still, even*), with the comparative, is

post-Augustan. **declamatoribus.** The "declaimer" in the Roman school was not only a student who made a set speech, a "declamation" in our sense, but also one engaged in exercises more like some of those of our law-students, in which debates are conducted, or controversial speeches (*controversiae*) are made on questions which are fictitious, yet akin to such as are argued in the courts of law. **plures subire personas**, *to assume various characters;* such, namely, as are supposed to be involved in any of these fictitious cases; to represent them, impersonate them in spirit and feeling, just as the advocate in real cases enters into, and represents the situation and sentiment of his client. The following genitives limit *personas*, the appositive understood after the foregoing *personas.* **decor.** See on § 27.

72. eiusdem operis; that is, the "New Comedy." **fulgore quodam**, etc., *has drawn a shadow over them* (made them to seem in the dark), *as it were, by the brightness of his own glory.* See on § 7. **Philemon**, of Soli, or, as some say, of Syracuse. He was a little older than Menander, though he died some years later, B. C. 262, at the age of nearly one hundred years. Plautus was an imitator of his plays, all of which, except fragments, have been lost. **ut, ita**; as in § 1.

73-75. History is illustrated by Herodotus, Thucydides, Theopompus, Philistus, Ephorus, and Clitarchus, and later by Timagines.

73. quorum diversa virtus; in the same sense as *quorum dispar dicendi via* in § 67. **densus.** See on § 68. One may be *brevis* and not *sententiis densus.* **instans sibi**, *following himself up*: pushing his thoughts, as it were, closely one after the other. The words are exegetical of *densus.* **Thucydides**, of Athens, B. C. 471 (or 456)–396. **candidus**; of style; *lucid.* See on § 32. **Herodotus**, of Halicarnassus, in Caria; B. C. 484–408. The latter date is not certain. **concitatis**, *powerful.* **remissis**, *gentle, mild.* See on § 48. **sermonibus**, *in conversations.*

74. Theopompus, of Chios, born B. C. 378. He was a disciple of Isocrates, by whose advice he wrote the "Hellenica" and "Philippica," two historical works, which have been lost. His speeches were chiefly panegyrics. **praedictis**, *those just mentioned;* abl. after *minor.* **sollicitatus**; that is, by his teacher,

Isocrates. See Cic. de Orat. 2, 13, 57. **hoc opus**; *this kind of work;* history. **Philistus**; an eminent historian of Syracuse, and also a powerful supporter of the two Dionysii. He died by his own hand in B. C. 356. **meretur**; in the sense of *dignus est*, and hence, followed here by the subjunctive in the relative clause. **quamvis**; join with *bonorum*. **aliquatenus**, post-Augustan for *aliquanto*. **Ephorus**, of Cumae, died about B. C. 333. He was under the instruction of Isocrates at the same time with Theopompus. His great historical work, which has been lost, embraced the history both of Greeks and barbarians, from the return of the Heraclidae to B. C. 340.

75. Clitarchi. Clitarchus accompanied Alexander on his expeditions, and wrote a history of them. **Timagenes**, of Alexandria, was brought as a prisoner to Rome, in B. C. 55, where he afterwards taught rhetoric, and wrote a history of Alexander and his successors. He enjoyed the patronage of Augustus, though finally driven from the city in consequence of speaking too boldly of the members of the imperial family. **historias**, *historical works*. So the plural, § 34. The singular number usually denotes history as a *genus*; comp. §§ 31, 73, 74, 101, 102; seldom *a* history, as in i, 8. 20. **Xenophon**; distinguished both for his historical and philosophical works. B. C. 444 (?)–354 (?).

76–80. The typical orators are Demosthenes, Aeschines, Hyperides, Lysias, Isocrates, and Demetrius of Phaleron.

76. ut cum, *since indeed*. So frequently in Quint. The earlier form was *quippe cum*, or *utpote cum*. See Cic. Ep. ad Att. 10, 3, and ad famil. 10, 32, et al. **aetas una**, etc. Cic. Brut. 36: *huic* (Demostheni) *Hyperides proximus et Aeschines fuit et Lycurgus et Dinarchus et is, cuius nulla extant scripta, Demades aliique plures. Haec enim aetas effudit hanc copiam.* The five orators of the canon not mentioned here by Quintilian are Antiphon, Andocides, Isaeus, Lycurgus, and Dinarchus. The ten lived from the early part of the fourth century B. C. nearly to the end. **Demosthenes**; B. C. 385 (?)–322. **quibusdam nervis intenta** (see on § 7); *strained as it were by sinews; by something like sinews;* as those of the arm in dealing powerful blows. His style is "nervous"; the opposite of **otiosum**, *languid, nerveless, negligent*. **modus**, *due measure; proportion;* the greater or less amplification suited to the topic in hand. See on xii, 10, 38. **Aeschines**; greatest of Athenian orators next to Demosthenes. After he had failed in the trial "about the crown," he retired to Rhodes, where he died B. C. 314. His three published orations are still preserved.

77. grandiori similis, *like something greater;* having the appearance of something greater than Demosthenes, and this on account of his greater diffuseness, as compared with the "denseness" and "intensity" of his rival. *Grandiori* is better taken as neuter than with some as masculine, with *oratori* understood. **quo**, etc., *by how much* (*just as in fact*) he is less compact. **strictus**; kindred in meaning to *densus* and *nervis intenta*. **lacertorum**, *sinews;* as opposed to **carnis**, *flesh*. So Cic. Brut. 64: *in Lysia saepe sunt etiam lacerti sic ut fieri nihil possit valentius.* **acutus**, *pointed, clean-cut, keen, terse* (*subtilis, tenuis*); not of mental acuteness here, but of language; as in xii, 10, 39. So Cic. Orat. 25, 84: *huic acuto* (*subtili, tenui*) *illa* (*vincula numerorum*) *fugienda sunt.* See also on *acumen*, § 114. **Hyperides**; a disciple of Isocrates, put to death by command of Antipater 322 B. C.

78. Lysias, like Hyperides, excelling in the simple and chaste style of eloquence (*subtilis atque elegans*), lived to the age of eighty years, and died B. C. 378. Of his 450 speeches, 32 have been preserved more or less complete. **docere**. The simple phraseology of Lysias and his school is the best for the statement of facts, or for teaching; but eloquence has two chief functions besides this; namely, to please and entertain the hearer and arouse his feeling (*movere*). Cic. Brut. 185: *tria sunt enim, quae sint efficienda dicendo: ut doceatur, apud quem dicetur, ut delectetur, ut moveatur vehementius.* **arcessitum**, *affected, studied*. **propior**, *more akin*.

79. Isocrates; at first an orator, but for the greater part of his life a teacher of oratory and writer of occasional speeches, lived to the age of ninety, and died by his own hand in B. C. 338. Twenty of his orations are extant. **nitidus**. See § 44, and note. **palaestrae quam pugnae**, *to the play-ground rather than to the battle-field;* to the lecture-room and to rhetorical exhibitions rather than to the controversies of the courts

and the public assembly. Comp. § 29, ad fin. **veneres,** *charms;* a usage of the word introduced by the poets. **nec immerito,** *and not without good reason; and justly, too.* **auditoriis se compararat.** As his reason for this course, Isocrates says (Panathenaeic Oration, 10) that he devoted himself to teaching on account of his diffidence and his weak voice. **honesti;** the noble and refined (in diction); *excellent speech, beautiful language.* So ix, 4, 146; *compositio debet esse honesta, iucunda, varia.* So in viii, 3, 16, *honesta* denotes something in the language high-toned, refined, elegant, beautiful; but the predominant sense of the word is honorable, respectable, worthy, in a moral sense. **compositione,** *rhythmical structure; prose, rhythm.* See on § 44. Isocrates was the first who treated systematically of the principles of oratorical rhythm or harmony. Cic. Brut. 8, 32: (Isocrates) *primus intellexit, etiam in soluta oratione, dum versum effugeres, modum tamen et numerum quendam oportere servari.*

80. Phalerea Demetrium. Demetrius of Phaleron had command of Athens under Cassander, B. C. 317–307, but was then banished by Demetrius Poliorcetes, and died at Alexandria B. C. 284. **inclinasse.** Cicero (see on § 33) says that Demetrius was the first who enfeebled (*inflexit*) the style of Athenian eloquence. **medio.** See on § 52.

81–84. The chief writers on philosophy are Plato, Xenophon, and Aristotle; the Stoics being omitted, as unprofitable to the orator.

81. M. Tullius. See Orator, 3. 12. **Platonem;** 429–348 B. C. **quadam, quodam.** See on § 7. **pedestrem;** πεζὸν λόγον. The term, as descriptive of prose, was first used by Horace. O. 2, 12, 19. Cicero's expression is *oratio soluta.* See Brut. 32.

82. Xenophontis. See on § 75. **inadfectatam,** *unstudied.* **Pericle.** Cic. Brut. 59: πειθώ—*quam deam in Pericli labris scripsit Eupolis sesitavisse.* Plin. Epist. 1, 20, 17: *nec me praeterit, summum oratorem Periclem sic a comico Eupolide laudari:* Πειθὼ τις ἐπεκάθητο τοῖσι χείλεσιν.

83. Socraticorum. See on § 35. **elegantiam,** *chaste simplicity.* **Aristotelem.** B. C. 384–322. **copia,** *the great number.* **inventionum acumine;** freely rendered: *his penetration in discovery.* **nam.** See on § 9. **Theophrasto.**

Theophrastus of Eresus, in Lesbos, born B. C. 371, succeeded Aristotle as the head of the peripatetic school at Athens, where he died in B. C. 287. The story of his name being changed from Tyrtamus to Theophrastus on account of the "divine beauty" of his style, θεσπέσιον φράσεως, is probably a fancy of his biographers.

84. conligendo, *in arguing;* literally in syllogizing; but not necessarily in the technical form of statement employed in the schools. **quae instituerant,** *what they had laid down;* their principles.

85–131. THE REPRESENTATIVE ROMAN AUTHORS.

85–92. Epic poets: Vergil, Macer, Lucretius, Atacinus Varro, Ovid, Cornelius Severus, Serranus, Valerius Flaccus, Saleius Bassus, Rabirius Pedo, and Lucan. Ennius is mentioned in passing, and the Emperor Domitian complimented.

85. Vergilius, 70–19 B. C. **dederit,** *may afford;* a polite form, less positive than the indicative, and frequent in Quintilian. See H. 485. **eius generis;** namely, of the epic or heroic class. **proximus;** next to Homer. See on § 53.

86. Afro Domitio. Domitius Afer was the teacher of Quintilian on his first visit to Rome. See Introduction, page 11; and also on § 118. **secundus.** See on § 53. **ut—ita.** See on § 1. **cesserimus** does not depend on *ut,* but is a subjunctive used potentially for *cedendum est.* So Spalding. Comp. §§ 45, 85. **eminentibus,** *in striking passages.* See Hor. A. P. 144. **vincimur, pensamus;** the first person plural, as above in *cesserimus,* implies that in this rivalry for poetic fame the Roman nationality is represented by Vergil. "We, in the person of our poet are surpassed." So in §§ 93, 99, 107. **aequalitate,** *uniform excellence.* Comp. § 54. Vergil never falls below himself.

87. Macer. See on § 56. **Lucretius.** L. Lucretius Carus, author of the celebrated poem "De Rerum Natura," which embodies the Epicurean system of nature. He lived probably from 95 to 51 B. C. **phrasin.** See on § 42. **Atacinus Varro.** P. Terentius Varro Atacinus, a native of Gallia Narbonensis, flourished toward the end of the republic, and obtained reputation as a poet chiefly on account of his translation of the "Argonautica" of Apollonius; and thus he was *interpres operis alieni.* He

also wrote a poem entitled "Bellum Sequanicum." A few lines only of his poems remain.

88. Ennium. Quintus Ennius; born at Rudiae in Calabria, B. C. 239, died at Rome B. C. 169. He may be styled the father of Roman literature, and especially of Roman poetry. The most famous of his poems was a Roman history in Latin hexameters, called the *Annales*. Only fragments of his works are preserved. **robora**; here, *trunks*. **religionem**, *sanctity*. **propiores**; Krüger interprets: *nearer* to Vergil; but it may be understood quite as naturally *nearer* (or *more kindred, more suitable*) to our own times, as contrasted with Ennius. **lascivus**, *luxuriant, extravagant;* a fault in his habit of thought and in his style; not of his morals. He gives too free rein to fancy, and too often, like ambitious declaimers in the schools, crowds in ornament where it is out of place. Quintilian has in mind here the Metamorphoses; of which he says in iv, 1, 77: *Ovidius lascivire in Metamorphosesin solet, quem tamen excusare necessitas potest res diversissimas in speciem unius corporis colligentem.* Bonnell translates *lascivus* by the German *tändelnd, giddy, toying.* Quintilian uses the word and the verb *lascivio* to denote the same or kindred qualities in ix, 4, 28, 142, and, below, § 93. **in herois**, in his heroic or epic poems. **Ovidius.** P. Ovidius Naso of Sulmo, B. C. 43–A. D. 17.

89. Cornelius Severus was a contemporary of Ovid, who addressed to him the epistle from Pontus iv, 2, 1, beginning with the lines: *Quod legis, O vates magnorum maxime regum, venit ab intonsis usque, Severe, Getis.* He did not live to complete the "Bellum Siculum." **ut est dictum**; i. e., by the critics. **secundum locum**; the second place among Roman epic poets; Vergil holding the first. **Serranum.** This epic poet is mentioned in company with Saleius and Lucan by Juvenal 7, 80. But the reading here is conjectural. I have adopted it in place of *sed eum* in my former text. **consummari**, *to be fully developed.* Comp. § 122. **in aetate illà**, *at that time of life; at that youthful age.* **recti generis**; supply *dicendi*, which is expressed after *genus*, § 44, where see note. **voluntatem**; here. *love, preference.*

90. Valerio Flacco. Valerius Flaccus flourished during the reign of Vespasian, was a friend of Martial, and died at the

beginning of the reign of Trajan, A. D. 88. His unfinished poem, the "Argonautics," is still extant. **Saleii Bassi.** Saleius Bassus lived at the same period as the foregoing. He is warmly praised in the Dialogue de Orat. 5, 9, 10, where he is called a most finished poet (*absolutissimus*), and said to have been assisted by a liberal gift of money from the emperor Vespasian. **Rabirius ac Pedo.** C. Rabirius and C. Pedo Albinovanus were both contemporaries of Ovid, by whom their talents were highly estimated. He calls the former *Rabirius magni oris*, and the latter *sidereus.* See Ov. Epist. ex Ponto, 4, 16, 5, sq. **Lucanus.** M. Annaeus Lucanus of Corduba (Cordova), author of the "Pharsalia," nephew of the philosopher Seneca. He was born A. D. 38, and died by the command of Nero for participation in the conspiracy of Piso, A. D. 65. **sententiis.** See on § 50.

91. hos nominavimus, *quia;* elliptical; *these*, and these only, *we have named, because*, etc. **Germanicum Augustum.** Quintilian here speaks of the Emperor Domitian, who assumed the title of Germanicus after his pretended victories over the Germans in A. D. 84. His affected love of letters, and especially his pretensions to poetic talent, it was fashionable during his life-time to eulogize. He wrote a poem on the war conducted by his father and brother in Judea. The translation of Aratus, sometimes ascribed to him, was more probably the work of Germanicus, the son of Drusus. **donato imperio**, *having given up the imperial power;* namely, as he pretended, to his father, Vespasian, and his brother Titus. Suetonius says that, after he became emperor, he did not hesitate to boast publicly in the senate *et patri se et fratri imperium dedisse.* Suet. Domit. 13. See, also, Tacit. Hist. 4, 86. **numeris.** See on § 70. **sic gerit.** The reference is to his sham victory over the Chatti, which Tacitus speaks of with so much contempt in Agr. 39. **deae.** In honor of the muses Domitian instituted quinquennial contests in music, poetry, and eloquence on the Capitoline hill, over which he presided in person. Suet. Domit. 4. This festival, called the Agon Capitolinus, was continued down to the fifth century. See Merivale, Rome und. the Emp., vol. 7, p. 163. **propius**; *with more favor.* So Verg. Aen. 1, 526: *propius res aspice nostras.* **familiare.** "Domitian affected to believe that he was the special favorite of Minerva, and, according to Philos-

tratus (Life of Apollonius of Tyana, 7, 12), a son of the goddess. He founded annual contests in her honor at his Alban villa, and in these, too, he combined poetry and rhetoric with musical and gymnic exhibitions." Merivale, as above.

92. inter victrices, etc. The words are quoted from Eclogue 8, 13, addressed to Pollio. **serpere** is made here to depend on *testamur*.

93. Elegiac poets: Tibullus, Propertius, Ovid, Gallus.

93. elegia quoque; not only in epic poetry, but also in elegy. **provocamus.** See on *vincimur*, § 86. **Tibullus.** Albius Tibullus, a Roman knight, born B. C. 59 or 54, died B. C. 18, the year after Vergil's death. **Propertium.** Sextus Aurelius Propertius was a contemporary of Tibullus; probably of Assisium in Umbria. **Ovidius.** See on § 88. **lascivior**; here, as in § 88, describes a quality of the style and manner of Ovid; not implying immorality or indecency. He is too luxuriant, and somewhat deficient in masculine strength and dignity. **durior,** *sturdier; more masculine;* in contrast with *lascivior.* **Gallus.** Cornelius Gallus, to whom Vergil addressed his tenth eclogue, was born at Forum Julii (Frejus) in Gaul, about B. C. 66. He distinguished himself as a poet and orator, and also as a general under Augustus. Falling under the displeasure of the emperor, he put an end to his own life in B. C. 26. Ovid. Trist. 4, 10, 5, 3, ranks him as the first of the Roman elegiac poets. He has been adopted as the hero of Becker's "Gallus."

93–95. Satire is a kind of poetry original with the Romans, and represented in its later form by Lucilius, Horace, and Persius; though Terentius Varro reproduced the earlier and mixed form of satirical writing.

satura nostra. "Satire, both in its form and aim, as presented in Roman literature, was wholly unknown to the Greeks." Bernhardy, Gesch. der R. L., p. 494. **Lucilius.** Gaius Lucilius of Suessa Auruncorum, a Roman knight, and in his youth a friend of Scipio Africanus the younger and of Laelius. B. C. 148–103.

94. Horatio; Q. Horatius Flaccus, B. C. 65–8. **dissentio.** Quintilian regards the passages in Horace, Sat. 1, 4, 11, and 1, 10, 58, as unjustly severe. **libertas**, etc. The keen satire

(*acerbitas*) of Lucilius and the unrestrained flow of his wit (*abunde salis*), directed against the society and individual citizens of his time, and even against his illustrious friends, was due to his personal independence and sense of equality. See Hor. Sat. 2, 1, 62, sqq. **labor,** *I err; slip* in judgment; not the same figure as *labitur* (*ex animo*) 7, 24. **multum et verae gloriae,** *much reputation, and that genuine.* **Persius.** A. Flaccus Persius of Volaterra, a Roman knight. A. D. 34–62. His six satires are still extant. **sunt—nominabuntur,** *there are illustrious* (satirists) *not only flourishing to-day, but who will also have a name hereafter.* On the connection indicated by *que* and *et*, see H. 554, 1, 5. Comp. also § 132. It is not known what contemporary poets Quintilian has in mind.

95. alterum—mixtum. There was before the time of Lucilius a species of satire, invented by Ennius, and consisting of different kinds of verses. But, later, Terentius Varro (of Reate, B. C. 116–27) composed (*condidit*) satires, styled Menippean, in which he employed not only the variety of meters of that earlier kind, but also a mixture of prose and verse, and that too both in Latin and Greek words. But few fragments of these are in existence. Of the other works of Varro, numbering about 500, there are now extant only the three books "de Re Rustica," and some portions of the treatise "De Lingua Latina." **prius** is an adjective here: *former, earlier.* Though this mixed kind of satire was older, yet Lucilius, in § 93, is called the *first*, or father of the satirists, because he gave to this species of writing its fixed form in hexameter, as adopted by Horace, Persius, and Juvenal, and known by distinction as the Roman satire. But by the mention of *satire* Quintilian is reminded of that earlier style of composition, that mixture, or "*olla podrida*," which was originally meant by the term *satura.* **rerum,** *history.*

96. The iambic and lyric poets: Catullus, Bibaculus, Horace, Caesius Bassus.

96. iambus. See on §§ 9 and 59. The iambic trimeter was used so much by Archilochus in his lampoons, that poems of this kind were called *iambi*, though Archilochus, as well as others, employed also other meters, and the iambic dimeter as well as the trimeter. Horace's seventeenth epode is an example

of the original form of the Archilochian iambic trimetrical ode. **celebratus**, *cultivated*, or *much employed*. **quibusdam interpositus**, (though) *intermingled by certain* (Roman poets); i. e., by certain Roman poets the iambic form of odes was introduced occasionally among their other poems. For the dative of the agent, see H. 388. **acerbitas**. See on § 94. **Catullo**. Q. Valerius Catullus of Verona, born B. C. 87. **Bibaculo**. M. Furius Bibaculus was born at Cremona B. C. 99. **illi** refers to *iambus*. Though the *epode*, or added line interrupts, or breaks in upon the regular iambic verses which give name to this kind of poem, that does not diminish its pungency. **epodos** (ὁ ἐπῳδός), as here used, means the odd or added verse, either iambic dimeter or in some other meter, following the iambic trimeter. It must be distinguished from the same word used as the name of entire poems, like the "Epodes" of Horace; so called, however, not by Horace himself, but by his later editors. **idem Horatius**; i. e., just mentioned. **Caesius Bassus**, to whom Persius addressed his sixth satire, perished in his villa in the eruption of Vesuvius, A. D. 79. **Viventium**. Perhaps Statius is one of these, as his "Sylvae" are poems of a lyrical character.

97-100. Dramatic writers: in tragedy. Attius, Pacuvius, Varius, Ovid, Pomponius Secundus; in comedy, Plautus, Caecilius, Terence, Afranius.

97. Veterum; in contrast with the *later* poets, such as Varius and Ovid, presently mentioned. **Attius**. L. Attius, or Accius, B. C. 170–84. **Pacuvius**. M. Pacuvius of Brundisium, probably a nephew of Ennius. He was born B. C. 220, and died about B. C. 130. **temporibus ipsis** refers especially to the comparatively undeveloped state of the language of literature in the times of Attius and Pacuvius. Thus it was the age itself, or the state of the language itself in that archaic period, and not any want of ability in these old poets, that made their style less perfect than that of their successors.

98. iam; here a particle of transition. Comp. § 49 and note. **Varii**. L. Varius, one of the most cultivated men, and one of the best poets of the Augustan age. He was the intimate friend of Vergil and Horace. **Graecarum**. Supply *tragoediarum*. **indulgere**. See on §§ 88, 93. **viderim**. See H. 503, i; Z. 559. The indicative is also used; as xii, 10, 11: *in iis, quos ipsi*

vidimus. **Pomponius Secundus**. A distinguished poet and general in the time of Tiberius, Caligula, and Claudius. He is highly praised by Tacitus both as a soldier and poet. Ann. 12, 28.

99. Claudicamus. See on *vincimur*, § 86. **Aelii Stilonis**; a Roman knight who devoted his life to the study of the Roman poets, and to the gratuitous instruction of the young men of his time in letters and eloquence. Varro and Cicero were among those on whom his teachings made a lasting impression. See Cic. Brutus, 56. **sententia**, *according to*, or *in the opinion*. See H. 416. Join with *locuturas fuisse*. **Plautino**. T. Maccius Plautus lived from about 254 to 184 B. C. **Caecilium**. Statius Caecilius died about B. C. 168. **laudibus ferant**, for the more usual *laudibus efferant*. **ad Scipionem Africanum**. Suetonius says (Life of Ter. 3) that Terence himself gave some countenance to the report that he had received help from Laelius and Scipio, because he took but little pains to defend himself against the charge. See Adel. prol. 15, sqq. **Terentii**. P. Terentius Afer, of Carthage. B. C. 195–159. **si—stetissent**, *if they had confined themselves within the limits of trimeters*. This judgment of Quintilian would have left less liberty to Terence than was taken by Aristophanes.

100. umbram, *the shadow*, i. e., of the excellence of Greek comedy. **sermo ipse Romanus**, etc. The Roman speech in its very nature is insusceptible of the peculiar charm of the Attic comedy, and, indeed, this was to be expected, since not even the Greek in any other dialect than the Attic (*alio genere linguae*), is capable of it. The Latin is more formal and rhetorical, and does not easily fall into the simple naturalness and directness of the Attic Greek. **togatis**. Supply *fabulis, plays*. Comedies which represented Roman life were called *togatae*; Latin comedies representing Grecian life and manners were *palliatae*. Of the latter kind were the plays of Plautus, Caecilius, and Terence. **Afranius**. Lucius Afranius flourished B. C. 150. **fassus** (thus) *betraying*.

101-104. Historians: Sallust, Livy, Bassus Aufidius.

101. cesserit, verear, indignetur. See on § 85; also Madv. 350, b. **Sallustium**. C. Sallustius Crispus of Amiter-

num, B. C. 86–35. **T. Livium.** T. Livius of Patavium, B. C. 59–A. D. 17. **candoris** describes the clearness and purity of his style. See on § 73. **ita**; explanatory of *tum—eloquentem.* **adfectus.** See on § 48. **commendavit magis,** *has represented more perfectly.*

102. velocitatem, *rapidity;* describing the swift transition from one idea to another by the employment of few but expressive words; the quality of style indicated in § 73 by the words *semper instans sibi.* **consecutus est**; here, *has compensated for;* has attained something equal to. **Servilius Nonianus,** who died A. D. 60, was distinguished as a historian and orator. **qui et ipse,** *and, indeed, he himself.* **sententiis.** See on § 50.

103. quam refers to *historiae auctoritas.* Translate: *but this.* **Bassus Aufidius**; an eminent historian and orator, contemporary with Servilius. Besides the history of the German war, here referred to, he wrote a history of the civil wars. Pliny the Elder took up the latter at the point where Aufidius left it at his death. See Pl. Ep. 3, 5, 6. **praestitit,** *afforded, illustrated.* **genere ipso**; *in his kind* (of writing) *as a kind; in his style generally,* or *on the whole;* as contrasted with the occasional exceptions immediately mentioned. Comp. ix, 2, 44. **suis viribus minor,** *less than (inferior to) his own abilities.*

104. superest adhuc vir, etc., *there is a man still living and adorning,* etc. The historian here referred to is probably Fabius Rusticus, praised by Tacitus (Agr. 10) as *eloquentissimus recentium,* and repeatedly quoted in the "Annals." The historical work of Fabius came down, at least, to the end of the reign of Nero, possibly later, and, therefore, must have been published some time after A. D. 68. And though we know nothing of the date either of his birth or death, he may very well have been living at an advanced age when Quintilian was writing this passage, about A. D. 93, and when the expression "still living" or "surviving," naturally suggestive of some one outliving the average of life, would be properly applied to him. The qualities denoted by the terms **libertas** (*independence* of thought and word), **elatum spiritum** (*elevated tone*), **audaces sententias** (*bold originality of language*), are not unlikely to have been characteristic of one who was an intimate friend of Seneca

(Tacit. An. 13, 20), and a writer so much admired by Tacitus. That such "audacity" or bold freedom as is ascribed to this writer, in departing from the old standards of style, should have hurt his reputation (*nocuerit*), and should have been offensive to Quintilian and his conscientious school, is not surprising; especially before his writings had been pruned (*circumcisis*) and chastened under the influence of criticism and of a maturer taste.* **genera.** See on § 45.

105–122. Orators: Cicero, Asinius Pollio, Messala, Caesar, Caelius, Calvus, Servius Sulpicius, Cassius Severus, Domitius Afer, Julius Africanus, Trachalus, Vibius Crispus, Julius Secundus.

105. vel praecipue, *even more than all others;* more than any other class of Latin authors. **possint.** See on § 85. **Eorum** refers to the Greeks, who are implied in *Graecae (eloquentiae).* For the construction *ad synesin,* see H. 636, iv, 4. **quantam pugnam**; *what* (unreasonable) *opposition*; arising from the prejudice existing in the time of Quintilian against the style of Cicero. See introduction, page 19. **cum** is elliptical. It is implied that this anticipated hostility to the judgment of Quintilian is uncalled for *since especially,* etc. We may tranlate it with *praesertim, though indeed.*

106. consilium, ordinem, *plan, arrangement.* **dividendi, praeparandi, probandi rationem,** *the method of analysis, introduction, proof.* **eloquendo,** *style.* Comp. § 1. **concludit,** *reasons* or *argues.* Comp. xii, 2. 25. The reference here is to the handling of argumentative passages, not to the closing of an entire speech. **inventionis,** as opposed to the following *eloquendi,* includes the whole mental process pertaining to the *consilium, ordinem,* etc. **acumine,** *with point;* here a quality of style, not, as in §§ 81, 83, of mind. See also on §§ 77, 114; xii, 10, 59. **frequenter et pondere,** *often also with weight;* i. e., with weight, or breadth and fulness of expression in addition to the terse and pointed style.

107. in adfectibus, *in respect to the emotions;* i. e., *in exciting the feelings;* whether of pain or pleasure. See on § 27. **vincimus.** See on *vincimur,* § 86. **epilogos—abstulerit,**

* Nipperdey, also, in the introduction to his "Annals of Tacitus," says that "in all probability" Fabius Rusticus is the historian referred to by Quintilian in this passage.

the custom of the state deprived him of (the opportunity of) *closing appeals to the feelings.* This is true only of judicial speeches at Athens before the Areopagus, where it was unlawful to attempt any appeal to the passions. See Aristotle's "Rhetorica," 1. Quintilian seems to regard this restriction as applying to all Athenian tribunals. Comp. vi, 1, 7; ii, 16, 4; and xii, 10, 52. **illa**, etc. See §§ 65, 100. Cicero's disadvantage in the want of a simple and flexible language is as great as that of Demosthenes in the lack of opportunity for addressing the passions. **epistolis.** The six letters erroneously ascribed to Demosthenes are on mere matters of business, and, of course, can not be fairly compared with the numerous and elegant letters of Cicero. **dialogis.** The works of Demosthenes are exclusively speeches. He attempted no productions, such as those of Cicero, in the form of dialogue, after the plan of the Socratic philosophers; so that no comparison can be made between him and Cicero in these; *in which* (*quibus*) *he* wrote *nothing.*

108. cedendum est, *we must yield the precedence.* **effinxisse,** *to have reproduced;* to have fashioned in himself.

109. in quoque, in each of them. **se ipso** refers to *ingenii.* **beatissima.** See on § 61. **pluvias,** etc. The words are from some poem of Pindar no longer extant.

110. docere, movere, iucunditas. See on § 78; and on *iucundus,* § 46. **transversum.** The conception is of some object lying in our way, and carried along before us by the force of our mere movement.

111. advocati; here, as generally in Quintilian, in the modern sense of *advocate.* In earlier times it had been used to denote the friends summoned by a litigant to give him countenance and support merely by their presence in court. **cum interim,** *though at the same time.* **quae—posset.** There is a conditional clause suppressed: *si vellet.* **oratio,** *language, style.*

112. regnare; twice said by Cicero of himself in his letters. Epist. ad Fam. xii, 24; ix, 18. **consecutus, ut habeatur.** See H. 498, ii; Z. 618. **exemplum** is to be taken with the predicate. For the gender of **hoc** see H. 445, 4; Z. 372.

113. Asinio Pollione. C. Asinius Pollio (B. C. 76–A. D. 4), one of the most prominent statesmen of the Augustan age, distinguished as an orator, historian, and poet. See Hor. O. 2, 1. **diligentia,** *accuracy* or *correctness* of language. **consilii et animi,** *of method and spirit.* **saecculo prior,** *a century earlier.* In the Dialogue de Oratt. the author, referring to the antiquated style of Pollio, says *Asinius—videtur mihi inter Menenios et Appios studuisse.* **Messala.** M. Valerius Corvinus. B. C. 69–A. D. 3. **nitidus et candidus.** Comp. §§ 73 and 79. **nobilitatem suam,** *his high birth.* **viribus minor,** *inferior in power* (of thought); that is, not so excellent in thought as in oratorical form.

114. C. Caesar. C. Julius Caesar, the dictator. B. C. 100–44. **acumen,** *point;* a pointed, incisive style, marked by the omission of every superfluous term, and the use of the best word in the best place; clean cut, as it were, and sharpened. See on § 106. **cuius proprie studiosus;** freely: *which he made a special study.* Suetonius, Caes. 56, speaks of a work in two books on correct Latinity, entitled "de Analogia," written by Caesar while traveling over the Alps to join his army in Gaul. Cicero, in Brutus 253, refers to the same work in proof of Caesar's earnest study of purity in the use of Latin.

115. Caelio. M. Rufus Caelius, B. C. 82–48. Cicero says of him (Brut. 273), that as long as he adhered to good counsels he was an effective supporter of the senate; but that he finally joined the party (i. e., Caesar's) which he had formerly aimed to overthrow. **urbanitas;** here *wit,* or *wit and humor.* **dignus** must be understood of his talents, not of his character. **mens melior,** *a better purpose;* i. e., in political life. **Calvum.** C. Licinius Calvus, a contemporary of Caelius. The remark of Cicero here mentioned is found in Brut. 283. **calumnia** here denotes a morbid habit of self-reproach; *self-criticism.* Comp. 3, 10. **verum sanguinem,** *his natural vigor.* **perdidisse** seems to depend grammatically on *crederent;* but perhaps we may better supply *dicenti,* after *Ciceroni.* **sancta,** *pure;* the opposite of *corrupta.* **castigata,** *severely finished;* thoroughly corrected; retaining nothing superfluous or inaccurate. So Horace, A. P. 294: *carmen quod multa litura castigavit ad unguem.* **properata,** *premature.* **si quid adiecturus sibi,** *if he would have added anything to himself;* i. e., to the development of more freedom and strength as a public speaker.

Comp. 120. **si quid detracturus**, *if he would have taken anything away;* namely, by keeping up the same habit of excessive self-criticism.

116. Servius Sulpicius; the most profound jurist of the age of Cicero. He was the first Roman, says Cicero (Brut. 152), who applied dialectics to the discussion of legal questions. He *published* only three speeches. **Cassius Severus**; the most talented advocate of the latter part of the Augustan age. He was banished to the island of Seriphos, and died there A. D. 34. Tacitus (Dial. 19) describes him as an orator of remarkable gifts, and as impressing a character upon the eloquence of his day in keeping with the transformed tastes of the Romans, which he was the first to comprehend and to satisfy. *Vidit namque cum conditione temporum ac diversitate aurium, formam quoque ac speciem orationis esse mutandam.* **colorem.** See on § 59. The word here may be rendered *decorum.* Severus did not sufficiently disguise or color his personal feeling, but gave free rein to bitter invective, wit, and sarcasm; thus violating the proper self-restraint and politeness which we call the courtesy of the bar. As Tacitus again says of him, Dial. 26: *omissa modestia ac pudore verborum, ipsis etiam, quibus utitur, armis, incompositus et studio feriendi plerumque deiectus, non pugnat, sed rixatur.* So below, *plus stomacho quam consilio dedit.* **gravitatem**, *dignity;* of speech.

117. urbanitas. See on § 115. **amari sales**, *acrimonious wit.* **amaritudo**, *bitter personality;* mere personal abuse, without wit. **ridicula est**, *is an occasion of laughter; moves laughter.* Success in exciting the mirth of the court and the audience is not always a proof of the orator's wit; but is often due to mere bitterness of invective, and coarse and rough, or droll terms of abuse. Comp. vi, 3, 7.

118. viderim. See on § 98. **Domitius Afer**, of Nemausus (Nismes), died A. D. 58. See Introduction, page 11. **Iulius Africanus**, of Gaul, flourished in the reign of Nero. He is mentioned by Tacitus, Dial. 15. **compositione longior**, *tedious* (or *prolix*) *in his phraseology.* viii, 3, 52: *ea* (ὁμοιολογία) *et sententiis et figuris et compositione longa.*

119. et Trachalus. *et* is correlative here to the following *et* before *Vibius.* M. Galerius Trachalus was consul with the

poet Silius Italicus A. D, 68. His voice was remarkably strong and musical. Hence he appeared to greater advantage when heard, *auditus maior*, than when read. See xii, 10, 11. **velle optima**, *to have the best aims;* to be understood here not of conduct, but of a high standard of attainment in eloquence. Comp. *meliora vellet*, § 131. **Vibius Crispus** flourished under Nero and Vespasian; the former of whom he served in the infamous character of *delator*, or informer. **compositus**, *finished;* rhythmical and smooth. **causis**; ablative of limitation, as *adfectibus melior*, § 73.

120. Iulio Secundo. Julius Secundus, of Gaul, is one of the principal personages introduced by Tacitus in the "Dialogue," and is supposed to have died A. D. 88. He is mentioned also in 3, 12, and in xii, 10, 11. **id** refers to the deficiency implied in *desiderari.* **pugnax.** He should be more *contentious*, or aggressive; direct his attention more earnestly to the controversy, and look away from the mere form of the expression (*elocutione*). See on *palaestrae* and *pugnae*, § 79.

121. interceptus quoque, *even* (though) *cut off* early. **ea**, *such.* **explicando**; not to be understood here of explaining or unfolding a question, but of the clear expression of ideas in language; a quality of style. **candidum**, *pure, limpid.* See on §§ 32, 73. **lene**, *gentle, quiet.* **quae adsumpta sunt**, *which are used figuratively.* **proprietas.** See on § 46. **ex periculo petitis**, literally, *sought on trial*, or *adventurously; newly invented, bold.* So, *a periculo*, ii, 11, 3.

122. sunt ingenia; orators such as Tacitus, Pliny, Claudius Marcellinus, Salvius Liberalis, and Fronto Catius. These, and many others mentioned here and there in Pliny's letters, were flourishing when Quintilian was writing the "Institutes." See Introduction, page 23. **veteribus**; dative after *aemulantur.* In § 62 we have the accusative. **eos** refers to *patroni.* **optima**; as in § 119.

123–131. Philosophers: Cicero, Brutus, Cornelius Celsus, the Sextii Catius, Seneca.

123. qui ubique. Manifestly there is an ellipsis to be supplied such as: *aemulus extitit Graecorum.* Brutus. See on § 23. **ponderi rerum**, *for the gravity of* (philosophical) *subjects.*

124. Cornelius Celsus; a voluminous writer of the age of Augustus and Tiberius; best known to us by his treatise on medicine. See also xii, 11, 24. **Sextios.** There were two philosophers of this name, father and son, flourishing under Cæsar and Augustus. They were said to have been followers of Pythagoras, though Seneca, Ep. 64, calls the father a stoic. **Plautus.** There is some uncertainty as to the reading; whether Plautus, or Plancus. C. Rubellius Plautus, a descendant of Tiberius, belonged to the stoic school. Owing to the jealousy of Nero he retired to Asia Minor, where he was murdered by the emissaries of the emperor in A. D. 62. **Catius**; an Insubrian Gaul, whom Cicero mentions in a letter, written in B. C. 45, as having recently died.

125. Senecam. L. Annaeus Seneca, son of the rhetorician Annaeus Seneca, was born at Cordova (Corduba), in Spain, about B. C. 4, and died by the command of Nero, A. D. 65. See Introduction, page 20. **in omni genere eloquentiae,** *in connection with*, or *in treating of every class of literature.* In treating of the various departments of Roman authorship, I have purposely reserved my observations on Seneca for the close of the whole chapter. He might also have been classed with poets or orators. **Accidit**; the perfect. **dum contendo,** *while I was striving.* See H. 467, 4; Z. 506. **corruptum,** etc. See Introduction, page 21. This vicious style is here referred to as that of the times, and not of Seneca alone: *a kind of speaking*, or *the* (prevailing) *style of writing* (*dicendi genus*).

126. Tum denotes the time when Quintilian was engaged in teaching; a few years after Seneca's death. **excutere,** i. e., *e manibus adolescentium.* **illi** refers to *potioribus, the more commendable writers;* those of the Ciceronian period. **imitabantur** is used here in its first meaning: *to copy, represent, resemble, successfully imitate;* as in x, 2, 11; 5, 8; xi, 3, 55, et al. In its other signification: *seeking to resemble*, it is also very frequent; as in x, 2, 7, and 18, et al. The admirers of Seneca did not imitate him in the first sense, did not, as implied in the next sentence, make themselves similar to him or nearly so (*pares aut proximos*). **tantum,** etc. Seneca had been inferior to the early writers in taste and style alone; but his admirers fell below him both in style and matter.

127. foret optandum (*nobis*). The form implies that the wish could not have been realized. **Senecam infamabat,** *brought reproach upon Seneca;* for they claimed, and were understood to represent his characteristics, while in fact they were but feeble imitators even of the pleasing and brilliant faults (*vitia*) which alone had attracted their admiration. Without his wonderful gifts of mind they could produce nothing but caricatures of his peculiar manner, and thus made his school ridiculous. Their folly was akin to that of the superficial imitators described in 2, 16, sqq.

128. rerum cognitio, knowledge of facts. See § 34.

129. orationes, etc. Besides the moral essays and the epistles of Seneca, none of his works have been preserved, excepting his tragedies and his "Quaestiones Naturales," or treatise on the facts of nature. **parum diligens,** *not very critical.* He was not a careful student of the literature of philosophy in all its schools; but gave his mind more especially to practical questions of life and conduct.

130. alieno iudicio, *with the taste* (or more commendable style) *of others.* **aliqua, sua,** refer to qualities of style peculiar to his writings. **rerum pondera,** *grave topics;* important truths or noble thoughts. Comp. § 123. **minutissimis sententiis**; *brief sentences*; not occurring at intervals, to relieve and diversify the more elaborate and flowing periods; but in a continuous chain, and the predominating characteristic throughout his works. On this account his writings leave upon us the impression of an almost unbroken series of coruscations, interesting, indeed, on account of their fullness of meaning; but soon tiring because of the constant strain; and thus better for occasional perusal. Like the faults of all great geniuses, they are dangerous as models for inferior or for immature minds.

131. Sic quoque, *even* (being) *thus;* even as he is. Comp. § 121. **iam robustis,** *by those who are now* (already) *mature;* well established in the true principles of style. Comp. § 57. **severiore.** Comp. § 125. **genere.** Supply *dicendi.* **utrimque,** *in both ways, on both sides;* both in approving and comdemning. **eligere,** as subject nominative. See H. 538; Z. 597. **Curae.** H. 390; Z. 422. **meliora,** *better aims;* i. e., in his

manner of writing. That genius (*natura*), which achieved whatever it desired, deserved to aspire to something nobler in the way of form of expression.

CHAPTER II.

OF IMITATION.

1-3. While the command of words, figures, and phraseology is to be acquired by the study of good authors, as recommended in the foregoing book, the mind must also be exercised in the imitation of all the good qualities exemplified in their works.

1. componendi ratio, *style of phraseology.* See on i, 79. **ad exemplum**; not *to*, but *according to the example.* So vi, 5, 2: *ad ea iudicium dirigatur.* Comp. x, 7, 3. **artis,** *art*, in general; not rhetorical art alone.

2. omnis vitae—constat, *the whole course* (or *law*) *of life is so constituted.* **ductus,** *drawings* or *writing-copies* made on wax tablets. **in exemplum,** *for*, or *as an example.* So frequently. **propositum** is here a participle; below, in § 12, it is used substantively. **ad praescriptum,** *according to the rule*, or *traditional usage.*

3. hoc ipsum, *this very fact; this very advantage;* i. e., of having examples to follow. This meaning seems to be suggested by the context; though others refer the words to *imitatio.* **apprehenditur,** *is employed.*

4-6. Only a dull spirit will be content to do nothing but imitate, while inventing nothing new.

5. in hoc; frequently for *ad hoc.* **Non concitemur.** See H. 486, ii; Z. 530. The form of the question implies that we can not fail to be aroused.

6. cuiusquam. See H. 457, i; Z. 129. **beneficii alieni**; supply *quod sit; that which is due to the favor of others.* **describere mensuris ac lineis**; *to copy by measures and lines.* The picture to be copied and the board or surface on which the copy was to be made, were divided into equal numbers of squares by lines drawn across at right angles; a common process also now. The squares are the *mensurae.*

7-13. Besides the folly of confining ourselves to exact imitation, it is also a disgrace (*turpe etiam est*) to be satisfied with being just equal to the models we imitate; especially in the case of orators; for there is much in oratory that is characteristic of individual orators, and due to their natural gifts, which can not be made matter of imitation; and for this we must compensate by adding excellencies of our own.

7. id consequi, etc. Merely to *come up to*, or barely equal our exemplar, is servile imitation. If we go beyond this, do something more, our imitation is not incompatible with freshness and originality. **rursus,** *again*, with reference to *ante omnia*, § 4. **Livium Andronicum.** Livius Andronicus, of Tarentum, a half-Greek, came to Rome soon after the first Punic war, about B. C. 240, and became famous as a teacher, and tragic actor and poet. His Latin translation of the "Odyssey," though in crude and rugged style, compared with the works of later poets, long continued in use as a school-book. See Hor. Ep. 2, 1, 69. **historiis.** See on 1, 75. **pontificum annales**; called also *annales maximi*, because they were kept by the pontifex maximus, or president of the college of pontiffs, were brief records of the public events of the civil year. They were continued down to the pontificate of Mucius Scaevola, B. C. 130. Comp. Cic. de Orat. 2, 12, 52. **pictura**; *painting*, as an art; *a* painting is *tabula* or *tabella.* **quae lineas,** etc., *that marked the outlines of the shadow made by bodies in the sunlight.* The earliest painting was only in contour.

8. nec stetit, etc., supply *ulla ars; nor has any art remained within its original limits.* **nisi forte,** as in 1, 70, implies a supposition which would be absurd. **infelicitatis**; a genitive of penalty.

9. illum oratorem. See § 28. **summa,** *perfection.* **contendere,** *compete, rival.*

10. vestigiis; dative after *insistendum.* **adde quod.** See H. 540, iv; Z. 628. The phrase is rather carelessly repeated in §§ 11 and 12. So *quin etiam* in 1, 23.

11. quidquid alteri simile est, *whatever is imitative of another thing.* **minus,** *less than, inferior to;* that is, inferior in the characteristic qualities of the object which it imitates (*eo*

quod imitatur), or aims to resemble. **actus histrionum**, etc. In vi, 2, 35, the passions as represented by actors are called *falsi adfectus*. **in orationibus**, *in the case of speeches;* that is, in the imitation of real public speeches. **alienum propositum**, *another's purpose*; the purpose, not of the original writer or speaker, but that of the imitator.

12. declamationes, school speeches on fictitious questions, as opposed to *orationes*, or speeches in the courts on real questions. See also on 1, 71. **quidquid arte**, etc.; whatever depends upon natural gifts and their exercise, and *is not imparted* (*traditur*) by precept, rules, and examples; that is, by "art."

13. aliquos certos pedes, *some particular phrases;* measures, or rhythmical groups of words. ix, 4, 116: *quem in poemate locum habet versificatio, eum in oratione compositio. Certus* (*definite, fixed, particular*) is frequently joined with *aliquis*. **effingi**, *to be reproduced;* "shaped out," here, in the way of imitation. **et verba—et compositio**, etc. The error of such imitators relates both to *words* and *phrases:* they are struck, perhaps, with the good effect of a certain word employed by the author they are following, and so adopt it in the expectation of producing a similar impression; whereas (*cum*) the felicity of the original may have been due to the usage of the times, or to the fitness of the term to the thought (*opportune, proprieque*), or to its collocation with other words, determining its effect as to sound and emphasis; and also in the same expectation, they quote from their models certain forms of phraseology (*compositio*), whereas this, too, may owe its effect in the original sometimes to its adaptation to the idea (*rebus accommodata*), and sometimes to the liveliness it imparts to the style by diversity of form, breaking up monotomy. **intercidant, invalescant**, *fall out of use, come into use.* **temporibus**, *in periods; with the times*, or *fashions.* Hor. A. P, 70, sq.: *multa renascentur quae iam cecidere cadentque, quae nunc sunt in honore vocabula, si volet usus.* **eaque**, *and which.* The demonstrative occasionally takes the place of the relative in a co-ordinate clause of a relative sentence. Z. 806. **et**, correlative to the foregoing *et*, connects this sentence with *verba intercidant*, etc., and, therefore, requires the subjunctive *sit*. Halm, however, adopts the reading *et cum verba*, etc., in the first clause, and substitutes *est* for *sit* in the second. **cum**, correlative to **tum**, does not affect the mood.

14-18. Imitation, therefore, is a part of our work to be carried on with great circumspection; first, in the choice of our models; then, in distinguishing, even in these, their excellencies from their defects; and, lastly, as to the difference between superficial imitation and that which is based upon the thorough study of the work imitated.

14. quos imitemur, quid sit; dependent upon *examinandum est*, suggested in the foregoing sentence. **corruptissimi**; said of a vicious style, as in 1, 125. **ad quod efficiendum**, *for the working out*, or *the imitation of which; efficere* in the same sense as *effingi*, § 13.

15. a doctis—reprehensa, *mutually charged upon* or *thrown out against each other by accomplished authors;* said with reference especially to the strictures interchanged by distinguished rival orators. **inter ipsos**, and not *inter se*, is used when the noun referred to is not in the nominative or accusative. So Cic. de Off. 1, 7. 20; *societas hominum inter ipsos;* id. 1, 16, 51; *latissime quidem patens hominibus inter ipsos . . . societas haec est.* See also § 23. **mala.** Supply **imitantes. nec saltem.** *Saltem* with a negative is sometimes in the post-Augustan writers, as here, equivalent to *ne—quidem*, sometimes standing before, and sometimes after the word emphasized. Here it qualifies *sufficiat*. **Epicuri figuras.** The allusion is to the Lucretian theory of vision, according to which images or εἴδωλα are formed in the eye by atoms continually emanating from the surfaces of things. Lucret. 4, 46: *dico igitur rerum effigias tenuisque figuras mittier ab rebus summo de corpore earum*, sqq. Also 158, 9: *perpetuo fluere, ut noscas, e corpore summo texturas rerum tenuis, tenuisque figuras.* **summis corporibus**, *the surfaces of bodies.*

16. numeris, *phrases;* rhythmical groups. See on § 13. **vim**, *force, significance.* **inventionis**, *matter, thought.* **proxima virtutibus vitia.** ii, 12, 4: *est quaedam virtutum vitiorumque vicinia* (*affinity*), *qua maledicus pro libero, temerarius pro forti, effusus pro copioso accipitur.* Comp. also xii, 10, 80. **pressis.** See on 1, 44. **fortibus temerarii**, *violent instead of powerful.* ii, 12, 11: *vim appellant quae est potius violentia.*

laetis corrupti, *vicious for luxuriant.* **compositis exultantes**, *bounding for measured*, or *jingling for harmonious;* a style of prose writing in which the study of rhythm (*compositio*) is carried too far, so as to render it affected and puerile; something which is neither prose nor verse, but unpleasantly suggestive of both. To writing of this kind Quintilian applies the terms *exultare, resultare, saltare, lascivire, to bound, hop, dance, wanton.* See ix, 4, 28, 66, 142; x, 4, 1, xii, 10, 12. **neglegentes**, *careless*, or *slovenly.*

17. quidlibet illud frigidum et inane, *that something cold and vapid.* **sententiis**, *thoughts, ideas.* **Atticis.** Supply *pares.* **conclusionibus**, *periods.* **tristes**, *dreary, colorless.* **aemulantur.** See on 1, 122. **otiosi et supini**, *spiritless and feeble.* **si quid**, etc., *if once they have rounded out some period longer than usual.*

18. se expressisse dependent on **sibi viderentur**, is equivalent to *putarent se expressisse.* Comp. v, 10, 5. **genus**, *style* (*dicendi genus*). **in dicendo**; join with *caelestis*; *divine in speech.* **esse videatur**; a favorite phrase of Cicero touched upon by Aper in his strictures on Cicero, in Tac. Dial. 23. Puerile imitators made the phrase ridiculous. **primum est ut**; after the analogy of *necesse est, ut.* See H. 501, i, 2; Z. 623. So *rarum est ut*, 7, 24. But in § 1, after *primum*, we have the infinitive.

19-21. The student must consider what his own gifts qualify him to imitate, and the contrary.

19. quibus—sufficiat—repugnet is a concessive relative sentence. Certain qualities are in themselves susceptible of imitation, which, nevertheless, the natural deficiency or peculiarity of some individuals will not permit them to imitate. The oldest manuscripts give *inimitabilia;* but this would seem to have no connection with the question under consideration here—namely, what good qualities each individual will be capable of imitating. **tenue ingenium**, *a simple taste;* a gift for plain or simple speech. **amore subtilitatis**, *with the desire of simplicity*, or *love of a simple style.* With **perdat** and **adsequatur** supply *ne.* **elegantiam**, *delicacy;* the same here as *subtilitas.* **mollia**, *delicate things;* such a quality of style as is implied in

the terms *tenue, subtilitatis, elegantiam.* **dure fiunt.** A strong, but violent nature (*ingenium forte, sed indomitum*), will be apt to handle too harshly the sentiment and language of the gentle and winning class of eloquence; such a nature must use the bold, passionate, and grand.

20. atque ego, etc. The general sense of the passage seems to be this: And yet, what I have here said may appear inconsistent with my remark in the second book, where I advised the teacher to exercise his pupils in other directions as well as in those for which they might have a natural bent; and this, because the teacher's office is to mold the minds of others, not his own, which would be a more difficult task. But what I now say is only a qualification of that former remark, and not a contradiction of it. For while the discreet teacher will in general try to develop his pupils in a symmetrical way, even such a teacher will not go so far in this effort as to insist upon that (*laborare in eo*) which he finds absolutely repugnant to their natures. Such would be the clashing of the *tenue ingenium* with the *fortia et abrupta*, etc., just spoken of. **atque**, *and yet;* so in 3, 22. **libro secundo.** ii, 8. **credidi**, *I expressed the belief.*

21. quamquam velit. See on 1, 33. **auditoribus**; here *disciples* or *pupils.* **naturam**, *natural gifts.*

21-26. In oratory we must not imitate the characteristic qualities of poetry and history, nor in these the manner of orators and declaimers; we must adapt the style to the topic and occasion; and we should not limit ourselves to one model exclusively.

21. illis operibus; i. e., poetic and historical writings. As to the caution, comp. 1, 28-34.

22. declamatores. See on 1, 71. **cuique**, *each thing;* each class or department of writing. **decor**, *propriety* or *character.* See 1, 27 and 71. **tamen**; though each has its individuality, yet all departments of writing (*omnis eloquentia*) have something in common.

23. uni alicui generi, *some one style;* whether the plain (*tenue*), or smooth and dispassionate (*lene ac remissum*), or the bold and exciting (*asperum*). **asperitas**, *passion.* **tenuitas**, *simplicity.* See on § 19. **iucunditas.** See on *iucundus*, 1, 46.

asperis, *exciting causes;* such as arouse the more violent passions. **cum**, *whereas.* Comp. § 13. **inter ipsas.** See on § 15.

24. suaserim, se addicere; for *suaserim, ut se addicat.* See H. 535, iv; Z. 615. For the subject, see on 1, 7. **uni alicui**, *to some one* (model orator or author). **omnium perfectissimus.** Comp. 1, 39. **alii, ille.** Supply *fecerunt, fecit.* Comp. 3, 25.

25. quid tamen noceret must be taken in connection with the foregoing sentence: yet, even if I could rival Cicero in every respect, what harm would it do, etc. **Caesaris.** See 1, 114. **Caelii.** See 1, 115. **Pollionis.** See 1, 113. **iudicium**; here, *taste.* **Calvi.** See 1, 115.

26. praeter id quod, etc., *besides this, that it is (while it is) the part*, etc. Comp. 1, 28. **pars**, *element, quality.* **sequitur**, etc., *attends, is attained by those who look at one* (author) *alone.*

27-28. Imitation must not be confined to words.

27. idem dicam. See §§ 13, 16, and 1, § 15. **decoris.** See on § 22. **prooemio, narrandi, probandi, refellendi, adfectibus movendis**, indicate the five essential parts of a judicial speech; the introduction, the narrative, the proof, the refutation, and the closing appeal to the feelings (*epilogus, peroratio*). See iii, 9, 1. **omnis generis.** See on 1, 48. **utilitatis gratia adsumpta** (*sit*), *is employed for the sake of advantage;* i. e., applause is made available for carrying the case; not sought by the advocate in order to gratify his vanity or ambition. **arcessitur**, *is courted.*

28. quem quaerimus, *whom we seek for; desire to see*; who does not yet exist. **perfectus orator.** Comp. § 9. **consummari**, *to be fully developed.* Comp. 1, 89. **eorum** refers to the *summi*; those who have hitherto (*adhuc*) been pre-eminent.

CHAPTER III.

THE MANNER OF EXERCISING THE PEN.

1-4. Introductory to the three chapters on writing. The practice of writing is a most useful part of the orator's training; necessary to accuracy, richness, and readiness of speech. It is to be treated, first (Chap. III), with reference to the manner of conducting the work (*quo modo*), which includes also emendation (Chap. IV); and, second, with reference to the matter and form (Chap. V).

1. haec auxilia; the helps, namely, which have been treated of in the foregoing chapters. **nobis ipsis.** The benefit to be derived from the practice of writing depends chiefly upon one's own gifts and industry. **M. Tullius.** De Orat. 1, 33: *caput autem est quam plurimum scribere.* **cui sententiae**, etc. The English usage would rather reverse the construction; thus: *by attributing this opinion to the person*, etc. **Crassi.** L. Licinius Crassus (B. C. 140-91), the greatest Roman orator before Cicero, is made the chief personage in the discussions of the "de Oratore."

2. profectus, *progress* or *improvement;* not a Ciceronian word. **non a summo petitus**, *not sought from the surface*, but from below, and by deeper tillage; not from superficial, but from severe and thorough study. Comp. 2, 15. **sine hac conscientia**, equivalent to *sine huius rei conscientia, without the consciousness* (or *experience*) *of this labor.* We may translate freely: *without this discipline. Conscientia* here must signify not merely knowledge but *experimental knowledge, thorough practice.* For this usage of the pronoun, see H. 450, 4, N. 3; M. 314.

3. illic; that is, *in stilo.* **sanctiore aerario.** A part of the public money at Rome was reserved for great emergencies, and therefore *sanctius.* See Liv. 27, 10; Caes. Bel. Civ. 1, 14. **quodam**, *a kind of, as it were.* See on 1, 7. **vires faciamus**, *let us acquire strength.* So *faciendus usus*, § 28. Comp. xii. 7, 1. **labori certantium.** The metaphor is drawn from agonistic combats.

4. rerum natura, *nature, or the law of nature.* The phrase

"nature of things" in English conveys a different notion. **nascendi**, *of generation.* **quae fecerit**, *for she has made.* H. 517; Z. 564. The **quo modo** is treated of in the present and the following chapter; **quae maxime scribi oporteat** is reserved for the fifth. **iam hinc**, literally: *from just here;* simply: *now.* Some have proposed *hunc* for *hinc;* but *iam hinc*, indicating the point of departure, is quite frequent. See viii, 3, 40; ii, 2, 15; iii, 1, 1; ii, 11, 1, et al.

5–18. As to the manner of this exercise of writing, it should at first be slow and cautious, with much study of each successive phrase and sentence; but gradually accelerated, especially by the student of oratory; who can not be fitted for his profession without getting rid of too much revision and self-criticism, and without acquiring the habit of writing promptly, naturally, and clearly. But a degree of haste inconsistent with logical order and clear expression must be avoided.

5. diligens, *accurate.* **optima**, *the best things*, includes both ideas and words, as indicated by the words *rerum* and *verborum*, below. **nec.** For *non*, *neque*, and *nec* with the subjunctive of prohibition, see Z. 529, note; H. 488. **protinus**, *at once;* join with *gaudeamus*, not with the participle *offerentibus.* **inventis**; the things (words and ideas) which have suggested themselves to us. **delectus agendus**, *choice must be exercised.* So v, 6, 3: *agere curam.* **ratio conlocandi**, *the way*, or *manner of arrangement.* **numeri**, *the composition* or *phraseology;* rhythmical series or groups of words; as in 2, 16. **ut**, *just as.*

6. scriptorum proxima, *what we have last written;* the last preceding words or sentences. **praeter id quod.** See on 1, 28. **repetito spatio.** By going over the last passage written, before beginning the next, the writer gets a new impulse, just like the athlete who goes back some little distance, and by running over this space to the point of the leap, secures a more powerful spring. **ut conatum longius petant**, *so that they try to get a start farther back.* For the usage of *ut* here, see 1, 58. **quo**, *wherein;* the ablative denoting the space *in which* the leap is made (*contenditur*), or which it covers. **nervos**, *the bowstrings.*

7. interim. See on 1, 24. **dum non.** *dum* or *modo* with *non* instead of *ne* is a usage taken from the poets. Comp. xii, 10, 48. **alioqui**, *otherwise.* **nec**; frequent in Quintilian for *ne—quidem.* **retractemus**, *let us review.*

8. die; for the more usual form *in die.* **Varius.** See on 1, 98. **condicio**, *the case, the circumstances.*

9. compositio. See on 1, 79. **familia**; *family* in the sense of slave-family; the body of slaves pertaining to a household.

10. ferentis equos; literally: *steeds bearing (us along); rushing steeds*, analogous to Vergil's *vento ferenti* (Aen. 3, 473), and *ventos ferentis* (id. 4, 430); also *feret flatus*, above, § 7. **quibusdam.** See on 1, 7. **neque enim.** The ellipsis may be thus supplied: But I recommend this curbing and self-restraint only when it will *not* cause injurious delay; *for neither, again*, etc. **robur fecerint.** See on § 3. **infelicem.** Comp. 1, 7. **calumniandi.** See on 1, 115.

11. officiis civilibus, *the duties of a citizen;* here, especially, those of a public speaker, whether in the senate or in the courts. Comp. 7, 1. **actionum**, *speeches, pleadings, arguments.* **partibus**; dative after *insenescat.* **velint.** Supply *qui.* The construction of the relative is continued, though its case is changed to the nominative. **increduli quidam**, *somehow afraid of themselves;* having *a sort*, or degree of distrust of their own abilities; but not absolute distrust. See on 1, 7 and 76. **de ingenio suo pessime meriti**, *having treated*, or *served their natural gifts most unfairly.* **diligentiam**, *accuracy*, is the predicate with *esse* understood; and the subject is *facere—difficultatem.*

12. in—usque; for the usual order *usque in.* **Iulium Secundum.** See 1, 120.

13. in eloquentia Galliarum. Eloquence was much cultivated in the Gallic provinces under the Caesars. The emperor Caligula established premiums at Lyons for successful competitors both in Roman and Grecian oratory. Suet. Calig. 20 **demum** here has the sense of *just, only;* as frequently. **alioqui**, *moreover;* apart from this fact, even if compared with orators in general and outside of his own country. **inter paucos**; to be classed among few as being his equals; *like few.* **propinquitate.** His relationship to Secundus is meant. **scholae operatum**, *devoted to school* or *study; attending school.*

operari, in the sense of *operam dare*, takes the dative. See Forcellini's Lex., art. *operor*.

14. tertium diem esse quod. Some copies give *quo;* but Pliny, Ep. 4, 27, 1, uses *quod* in a similar connection: *tertius dies est quod audivi recitantem Sentium.* It is like our indefinite use of "that." So also Plaut. Amph. 1, 1, 146. **materiae** is to be taken as the dative of the remote object of *inveniret.*

15. ut possimus; after *praestabit.* See on *sciamus*, 1, 10. **ratio**, *reflection.* **resupini** does not necessarily imply lying down; only the upturned face. Martial. 9, 43, 3: *resupino voltu.* **tectum**, *the ceiling*, or *roof.* **cogitationem murmure agitantes**, *exciting our thought by muttered words;* seeking to stimulate thought by talking to ourselves in a suppressed tone. So ii, 11, 4: *murmure incerto velut classico instincti.* **quid obveniat**; *what may suggest itself.* **personam**, *the character*, namely, of the court or judges, and of the parties in the suit, including the advocates themselves. **humano**; *befitting a man; rational.* **natura**; that of the question, cause, or subject.

16. certa sunt pleraque, *most things* (pertaining to a given subject) *are sure;* so identified with the subject that they are suggested by the very thought of it. **non putemus.** See on § 5. **immutescamus**; a compound found only here and once in Statius (Theb. 5, 542). The usual word is *obmutescere.* **alioqui**; as in § 7. **nisi quod non invenimus**, *but that which we have not thought of;* which has not occurred to us.

17. diversum in Quintilian and later writers is followed by the dative; in Cicero by *ab.* Different to, instead of different from, is a similar idiom often used in England. **silvam**, *timber, wood, material.* ὕλη. Cicero employs this word to denote a mass of facts and ideas thrown together. **componunt**, *arrange the words;* with reference to euphony. See on 1, 44. **numeri**, *phrases*, as above, in § 5. **levitas**, *want of solidity;* want of logical coherence or order; not the *lēvitas* of x, 1, 52.

18. protinus, *at the outset.* **ducere**, *to mold.* Comp. 5, 9. **sequemur**, the future as a softened imperative.

19-27. The practice of dictating to *amanuenses* is condemned, as interfering with perfect solitude. Yet rural seclusion and attractive scenery are not favorable to concentration of thought; closed doors are better; and especially the hours of the night are helpful to literary labor; but not to be employed to excess.

19. deliciis, *indulgence.* The employment of an amanuensis to write from dictation was a kind of luxurious self-indulgence, as it saved the orator the drudgery of the pen. **in stilo**; i. e., when used by the author himself. **dat**, etc. The hand in the process of writing, being slower than our thought, affords it time for shaping out the phraseology in advance of the pen. **pudet.** Supply *nos* or *oratorem.* **resistere**, *to stop.* So 7, 14. **conscium.** The amanuensis is a *witness* of any deficiency in readiness of thought and language on the part of his employer.

20. rudia et fortuita has reference to inelegant words and phrases hurriedly thrown out under the pressure of dictation. **impropria**, *inappropriate, irrelevant ideas.* **connectendi sermonis**; not here logical connection, but uninterrupted, unhesitating continuity of discourse or words. **effluant**, *drop from us.* **curam** = *diligentiam, accuracy.* **impetum**, *force, liveliness.* **consequantur**, *attain, possess.* Comp. 1, 102; 2, 25. **in legendo.** The amanuensis (*idem ille qui excipit*) is sometimes required to stop writing and to read aloud what has already been dictated. If he reads indistinctly and hesitatingly, or even if he is too slow (*tardior*) with the pen, we are impatient and irritated. **velut offensator**, *as it were a hinderer;* stumbling block. The word is not found elsewhere and some editions, therefore, substitute *offensatus.* **quae erat** (*concepta*); i. e., the thought which we had formed before dictating. **conceptae mentis intentio**, *attention to the conceived thought; mens* here signifies the series of ideas combined in one general conception, as the line of remark to be pursued. So Verg. Aen. 1, 676: *nostram nunc accipe mentem.* Comp. 7, 14. The objective genitive is also found after *intentio* in § 23.

21. illa, *those movements.* **obiurgare**; equivalent in this sentence to *ferire*, or *caedere, strike.* Seneca de Ira, 3, 12, 6: *servulum istum verberibus obiurga.* Suet. Calig. 20: *ferulis obiurgari.* **Persius.** The quotation is from Sat. 1, 106, where the satirist has in mind a driveling versifier who is without poetic feeling and imagination, and does not in self-forgetfulness and passion strike the desk and bite his finger-nails. **leviter**, *without earnestness*, or *feeling.* **caedit, sapit.** The

subject understood is *ille*, referring to the would-be poet. **demorsos**, *bitten to the quick.* Hor. Sat. 1, 10, 79: *vivos roderet unguis.*

22. ut semel dicam. Comp. 1, 17. **protinus**, *at once, necessarily.* Comp. 1, 3. **in hoc**; for the regular form *ad hoc*, or *huic rei.* **sublimem animum**, *an elevated tone.* **beatiorem spiritum**, *a more fertile imagination.* So *beatissima* in 1, 61.

23. quae ipsa = *quae per se.* **bona fide**, *faithfully; earnestly.* **quod propositum erat**, *the subject before it*, or *in hand.*

25. Demosthenes; supply *fecit.* The fact referred to is mentioned in Plutarch's life of Demosthenes, ch. 7: ἐκ τούτου κατάγειον μὲν οἰκοδομῆσαι μελετητήριον. **velut tectos**, *as if under cover.* The better authorized reading is *rectos;* but it yields no satisfactory meaning. **maxime**, for *potissimum.* We may render: *as the best thing.* This profound secrecy should be resorted to in preference to anything else.

26. in hoc. Supply *genere studiorum; in this kind*, or *manner of labor.* **frugalitas**, *temperance*, in the widest sense; freedom from all irregularities and excess in living. **cum convertimus**, *when we apply;* meaning *inasmuch as we apply.* Other examples of *cum* implying cause, and yet followed by the indicative, are found; as i, 6, 2. **cui—inrogandum**, *on which* (labor) *we must expend.* **quod somno supererit, haud deerit**, *what shall remain after* (sufficient) *sleep*, (and) *shall not be needed* for sleep.

27. occupatos; the antithesis to *vacet.*

28–30. But solitude can not always be enjoyed, and the orator must get accustomed to think and write, and prepare himself for debate, in spite of hindrances, and even in the midst of the noise and confusion of public places.

28. codices; *writing-tablets; cerae.* **deplorandus**, *to be given up for lost.* **faciendus usus.** See on § 3.

29. si et voluerimus. If we add the power of will to such merely accidental interest, how much more able shall we be to forget outside things. **nonnisi refecti**, *only when fresh.* See on 1, 20.

30. alioqui. See on § 7. **tot—clamoribus.** The nave

of the Roman court-house or *basilica* served as a sort of business exchange, and the galleries were thronged with spectators and idlers. The courts were held in the tribunes or hemicycles recessed at the ends and sides of the *basilica*, but still were liable to be disturbed by the confusion from without. Besides this, we learn from Quintilian, xii, 5, 6, that in the *Basilica Julia*, which was the principal court-house, and on the side of the Forum Romanum, there were usually four courts in session at the same time; and that the voice of an advocate in one of them was sometimes, as in the case of Trachalus, heard by all the others, and this so distinctly as even to withdraw their attention from their own proper cases.

tot circumstantibus-iudiciis, *so many trials, wranglings, accidental cries, surrounding us;* freely: *in the midst of so many courts, disputes*, etc. **subito**, *ex tempore.* **particulas**, *brief heads;* generally necessary to be noted down by the advocate, however hastily, when called upon to speak *ex tempore* in continuous discourse (*continua oratione*). If he can not collect his thoughts sufficiently to write down such headings in spite of the surrounding confusion, he will certainly be unprepared to make effective arguments *ex tempore*, and so be unfit for his profession. Comp. 7, 1. **ceris**, *tablets.* **in litore in quo**, etc. Not on the shore in general, but on *a* shore, or some part of the shore, such that the wave dashed there (*in quo se inlideret*) *with the greatest noise.* The subjunctive is one of result. **meditans**, *practicing*, or *by practicing.*

expavescere, *to tremble at*, or *dread;* transitive, as also in ix, 4, 35. Cicero, de Fin. 5, 2, understands the object of Demosthenes to have been to increase the *power of his voice* so as to be heard above the din of public assemblies; but he necessarily at the same time would accomplish the object indicated by Quintilian.

31–33. The proper writing materials.

31. Ceris; *in* is omitted, as in viii, 6, 64: *ceris Platonis.* **nisi forte** with the indicative is usually ironical, as in 1, 70, and 2, 8; but not so here, nor in v, 2, 2. **relatione**, *by carrying the pen back*, or *to and fro*, in supplying it with ink. The word in this literal meaning is used only here.

32. relinquendae contra vacuae tabellae, *blank pages should be left opposite* (to those written upon). **adiciendo excursio,** *free space for additions.* **angustiae,** *want of room.* **confundant**; potential. **expertus,** *for I have known.*

33. loci, *topics* or *subjects;* the various parts or passages of a discourse. **inrumpunt,** *flash upon* (*us*). **sensus,** *thoughts* or *ideas.* **interim—interim** = *nunc—nunc.* **inventione,** *line of thought.* **in deposito,** *in store;* freely: *noted down.*

CHAPTER IV.

CORRECTION.

1-4. Emendation consists in adding, cutting out, and changing; but there must be some limit to it, especially on the part of the orator.

1. pars longe utilissima; literally: *a far most useful part;* freely: *one of the most useful parts* (of this work of writing). M. 310, obs. 2, ad fin. The exercise of the pen *in general* (as described in Chap. III, IV, and V), has already been pronounced "far the most useful." See 3, 1. **non minus agere,** *is not accomplishing less;* namely, than when writing. **premere, extollere,** etc., are the species comprised in the general term *mutare.* **luxuriantia,** *the exuberant;* ambitious things. **inordinata,** *the irregular;* incorrect arrangement of words. **soluta,** *the inharmonious;* a disjointed or unrhythmical arrangement, the opposite of *compositum.* **exultantia coercere,** *to tone down jingling measures;* combinations of words producing an undignified, skipping, or dancing movement; that is, prose rhythm or *compositio* carried to a vicious extreme. *Solutus,* on the other hand, is the lack of rhythm. See on 2, 16.

3. sunt enim, etc. These are the *increduli* of 3, 11. **primum**; what is first thought of or written. **quidquid est aliud**; whatever new or different idea or form strikes us, after writing that which first suggested itself. See 3, 16. **cura,** *by treatment.*

4. quod accepimus, et dicunt, *as to our having learned, and as to their saying;* literally: *as to* (*the fact*) *that we have learned,* etc. **Cinnae Smyrnam.** C. Helvius Cinna, a friend of Catullus, wrote a poem, of which Smyrna or Myrrha was the heroine. Of the time spent in its composition Catullus says (carmen 95): *Smyrna mei Cinnae nonam post denique messem quam coepta est, nonamque edita post hiemem.* **Panegyricum Isocratis.** The panegyric composed by Isocrates, and named from the πανήγυρις, or great national assembly at the Olympic games, was finished in Ol. 99, 4 (B. C. 380), in ten years, according to those who give the shortest time (*qui parcissime dicunt*), or, as some say, in fifteen years. **ad oratorem nihil pertinet**; because the "Smyrna" was an epic narrative, and not a speech, and the "Panegyric," though a speech in form, was not expected to be actually spoken. See Rauchenstein's "Isocrates," introduction to the "Panegyric."

CHAPTER V.

THE MATERIAL AND FORMS OF WRITING TO BE EMPLOYED FOR THE ATTAINMENT OF FACILITY.

1-8. First: Translations from the Greek. These exercise the writer in choosing the best terms in his own language. Second: Paraphrasing the best authors in his own language. This stimulates him to a kind of rivalry of the Latin author, by varying the phraseology.

1. non est huius, for the old *hoc exuberantis sit,* is the conjectural reading of Halm. **huius operis** refers to the present *part* of the work; that is, the topic of the present chapter. **quae sint materiae,** *what are the subjects;* i. e., what are the kinds of subjects in general which should be handled in a course of rhetorical training. **quae prima,** etc., what forms of writing, whether stories and fables, discussions, or theses, should be taken up, according to the age and progress of the student. **primo libro, secundo.** See i, 9; ii, 10. **robustorum.** See on 1, 131. **sed.** There is an ellipsis of *explicandum est* or *explicemus,* on which depends the interrogative clause *unde,* etc. **(id) de quo—agitur,** *the question now before us;* namely, from what materials (*unde* = *quibus ex materiis*), readiness may best be attained.

2. L. Crassus dicit, etc. See Cic. de Orat. 1, 34, 155. **Cicero praecipit.** In his account of his own education, Brut. 310, Cicero says that he practiced declaiming in Greek in order to acquire the habit of expressing himself with like propriety in Latin; also in the beginning of "de Officiis" and "de Finibus" he speaks of the advantage of studying Greek in connection with Latin; but in no existing passage of his writings is the exercise of *translation* expressly enjoined. See Cic. de Off. 1. and de Fin. 2, sq. **Platonis, Xenophontis.** Cicero translated the "Protagoras" and "Timaeus" of Plato. A fragment of the latter is still preserved. His translation of the "Oeconomics" of Xenophon is not extant. **hoc genere**; *in this kind*, or *way*; that is, as an exercise of the pen; *genus*, "sort of thing," "kind of labor, work, study," may often be rendered by the various terms "kind," "way," "style," "manner," etc. **Messalae.** See 1, 113. **ad hunc modum** = *hoc genere.* **cum illa subtilitate**, *with that simple style*, or *unadorned eloquence of Hyperides* (in his speech) *for Phryne.* **Phryne**; an Athenian courtesan, put on trial for impiety. Quintilian says (ii, 15, 9) that her acquittal was due rather to her beauty than to the eloquence of Hyperides. **difficillima Romanis.** Comp. 1, 100. For the style of Hyperides, see 1, 77.

3. verbis optimis. When translating from a foreign language, we can choose without restriction the best words of our own; whereas in writing paraphrases of the works of our own authors, as indicated below in § 5, we do not feel at liberty to use the terms already employed by them, and thus we are often confined to expressions inferior to theirs. **figuras.** Figures of words as well as grammatical figures are here meant. The Greek and Latin, and languages generally, present a wide difference in these; so that a figure which is allowable in one may not be in use in another.

4. ex latinis conversio. The words signify the paraphrasing of Latin writers in their own tongue. The pupil borrows their ideas, but clothes them in new phraseology. **multum et ipsa**, *much also of itself;* to say nothing of translating from the Greek; or, apart from translations; that is, *even paraphrase may help much*, though not so good an exercise as translation. Bonnell, however, gives the rendering: *much and indeed of itself;* comparing 1, 94: *multum et verae gloriae.* **Sulpicius.** See 1, 116. **orationem**, *language* or *style;* as often. **praesumunt**, *preclude;* literally, *take before.* **proprie**, *literally*, or *directly;* as opposed to the less commonplace, more imaginative, and more figurative terms of the poet; *poetica libertate audaciora.* **sententiis**, here, *poetic fancies.*

5. paraphrasim is the subject of *esse*; **sensus**, *thoughts, ideas*, as in 3, 33. **certamen—aemulationem**; *a contest and rivalry* with the original in regard to felicity of expression; an effort to reproduce the same ideas in an equal or better clothing of words. **optimis** refers to words and forms of expression as well as ideas. **ut una de re**, etc., freely: *that there is only one possible form of saying any one thing.*

6. circa voces easdem, *in connection with the same words.* In uttering the same passages different actors use different gestures; but words are related to thoughts as gestures to words, and are capable of just as much variation in expressing one and the same idea as gesture in delivering one and the same sentence. **esto—esse.** Horace, Ep. i, 1, 81, uses the infinitive in like manner as the subject of *esto: esto, alios teneri.* But Quint. ix, 2, 84: *sed esto, voluerit;* and Verg. Aen. iv, 35: *esto, nulli flexere mariti.*

7. continuas sententias, *successive sentences, clauses, or periods.* **uno genere**, *in only one manner, form.* Comp. 3, 26, and above, on § 2. **fas erat**, *it would have been right.* H. 475, 4; Z. 518. **eodem**, *to the same end;* to the expression of the same idea.

8. translatis, *tropes.* **propriis**, *literal terms.* **oratio recta**; not here in the technical sense; but *simple speech*, or *natural language* as opposed to *figura declinata, an indirect form*, or *rhetorical figure.* **sic**; i. e., by this effort to reproduce the ideas of these authors in our own words. **lectione secura**, *with the indifference* or *ease of reading;* in which we do not often stop to take in the full significance and beauty of individual passages.

9–13. It will be an advantage to put our own ideas into various forms of expression, and to cultivate the power of amplifying; and to this attainment the writing of theses or discussions of general propositions will contribute; and also judicial decisions and *loci communes*, which are kindred to theses.

9. aliae aliaeque formae, *successive forms; shapes, one after another.* **duci,** *to be shaped* or *molded;* a metaphor derived from forming things out of plastic materials. Comp. 3, 18.

10. illa diversitate. In the great variety of facts connected with almost all trials the advocate can rarely fail to think of topics to speak about, and so poverty of invention may be concealed. **causarum**; here, of subordinate *legal questions* occurring within particular causes, or during the trial of them.

11. fundere, *to amplify, expand.* **expositis,** *common, familiar things.* **in hoc facient,** *will serve for this end. In hoc* as in 2, 5. **infinitae quaestiones.** Quint. iii, 5, 5, defines such questions thus: Unlimited questions are those which set aside all circumstances of person, time, place, and the like, and are treated both affirmatively and negatively. "The Greeks," says he, "call such questions θέσεις, Cicero, *propositiones.* Some term them *quaestiones universales civiles;* Athenaeus, *partem causae.* Cicero divides them into two classes: those of *theory* (*scientia*) and those of *action* (i. e., the *speculative* and the *practical*). Of the first class the following is an example: *An providentia mundus regatur?* Of the second: *An accedendum ad rempublicam administrandam?*" **iam princeps.** In the year B. C. 49, at the breaking out of the civil war, Cicero writes to Atticus: *ne me totum aegritudini dedam, sumpsi mihi quasdam tanquam θέσεις.* And again: *θέσεις meas commentari non desino.* Ad Att. 9, 4. Gesner remarks that the *paradoxa*, also written by Cicero after he had held the highest offices of the state (*iam princeps*), were discussions of the same nature as the *thesis.* **exerceri**; in the sense of a middle voice: *to exercise himself.*

12. destructio—sententiarum, *the confuting and sustaining of* (judicial) *decisions* or *opinions. Destructio* and *confirmatio* correspond respectively to the Greek terms ἀνασκευή and κατασκευή, used in ii, 4, 18 of arguing for and against the truth of historical anecdotes. Here the reference is to arguments for and against the decisions, opinions, or sentences of courts, taken as general propositions. **nam cum sit sententia,** etc. **sententia** and **iudicium,** which are synonymous here, pertain to individual cases (*res*); but the particular sentence or

judgment is also *a kind of* (general) *decree and prescription,* or general rule of law; because, to be sustained or refuted, it must be put into a general form or statement like such a general decree. Thus the special sentence is argued (*quaeritur*) on the same grounds as the case itself (*res*) on which it has been pronounced. See the case of Milo, quoted below, in § 13. Of course, no specific question of fact will come into such a discussion; only a general one of right or wrong, of legal precedent, or of law in general. **loci communes.** Supply *in hoc facient. Loci communes, general topics,* are speeches, or, more commonly, passages of speeches which dwell upon general truths, principles, or sentiments in the abstract, and without reference to persons and details of fact: as, for instance, the duty of patriotism, the infamy of treason, the folly of avarice. Such a topic or passage of discourse is said to be *communis,* because it is of a general nature and *common,* or equally applicable to an indefinite number of individual cases. Cic. de Orat. 3, 27, 106: *illi loci, qui, quamquam proprii causarum, et inhaerentes in earum nervis esse debent, tamen, quia de universa re tractari solent, communes a veteribus nominati sunt.* **scriptos ab oratoribus**; as for example, by Cicero and Hortensius. ii, 1, 11: *communes loci, sive qui in vitia derecti, quales legimus a Cicerone compositos, seu quibus quaestiones generaliter tractantur, quales sunt editi a Quinto quoque Hortensio.* **haec** refers to the three forms of material just mentioned: *infinitae quaestiones, sententiae,* and *loci communes.* **recta tantum,** *only* (*nothing else than*), that is, *absolutely, wholly, simple, straightforward, direct;* explained by the following *in nullos flexus recedentia, digressing into no windings* of detail. These general discussions do not turn aside from the direct track of abstract statement. **in illis**; in those causes, namely, which in fact make up the great majority, and are familiar to us all. **plures excursus recipientibus,** *admitting of many digressions,* or *departures* from the direct line of abstract argument, and introducing many particulars of time, place, and person. See § 10.

13. omnes (*causae*); all specific or actual cases in court. **generalibus**; synomymous with *infinitis.* **Cornelius.** C. Cornelius, quaestor under Pompeius Magnus, and tribune of the commons in B. C. 67, brought forward a bill (*codicem, roga-*

tionem) which provided that no person should be exempt from the operation of any law except by vote of the people. This was intended to put an end to the power exercised by the senate of exempting individuals in certain cases from particular legal obligations. Cornelius was opposed by one of his colleagues, Servilius Globulus, who forbade the clerk to read the bill before the assembly. Hereupon Cornelius himself read the bill. At the expiration of his office he was arraigned on the charge of violating the constitutional right of intercession, and was successfully defended by Cicero. **maiestas**, here *the constitution.* **Cato—Hortensio.** Marcia, the wife of Cato, lived with Hortensius from B. C. 56 until the time of his death, in B. C. 50, and then returned to her husband. Cato had consented to this transfer on the request of Hortensius. **conveniatne**, etc., and above, **oporteatne**, etc., are the special questions generalized or treated as *quaestiones infinitae.* **de personis**, *concerning persons;* special cases, personal interests. **rebus**; here for *rebus generalibus, general questions, principles.*

14–16. The writing of declamations, or school speeches on fictitious cases is also recommended; as well as that of histories, dialogues, and even poems.

14. declamationes; here recommended as exercises for the pen. **orationibus**, *speeches;* real speeches made in court. **pariter**, *equally;* just as much as language and style. These declamations, as a discipline in writing, cultivate the orator in invention and arrangement not less than in rhetorical excellence. **alitur—facundia.** Eloquence is made, as it were fat and well-liking by this kind of exercise, like animals fed on richer pasturage (*pabulo laetiore*). **enitescit**, *becomes sleek;* shining with good "feed."

15. gestiendum, *we must seek delight, must indulge.* **contrarium**, *to our disadvantage.* **ciborum certa necessitate**, *the fixed regimen of food;* ἀναγκοφαγία.

16. durescat articulus, *that the finger-joint become stiff. articulus* here stands for eloquence, as *fulgor* for its brilliancy. As the opposite notion we have in ii, 12, 2, *mollis articulus;* said literally of the gladiator handling his sword with *flexible fingers.* In xi, 1, 70, the phrase is metaphorical: *quam molli articulo* (*Cicero*) *tractavit Catonem.*

17–20. The student must not be held too long to these preparatory exercises of the school; but as soon as he is well disciplined he must attach himself to some eminent public speaker, and accompany him to the courts; and he must also write speeches at home on the questions he hears debated in public; not neglecting, at the same time, the composition of discourses on subjects of his own choosing.

17. sagina dicendi, *rich nourishment of eloquence;* the same as the *iucundioribus epulis* in § 15. **quemadmodum—sic**, *while—yet;* as *sicut—ita*, i, 1. **falsa rerum imagine.** The reference is to the fictitious arguments, or declamations on fictitious cases in school. Comp. xii, 11, 15. **ab illa umbra**, *after that shade;* a usage of *ab*, derived from the notion of *coming away from*, and found also in Livy and the poets. Livy, 44, 34: *ab his praeceptis contionem dimisit. umbra* is a frequent metaphor of Cicero to denote the seclusion and shelter of the school, as opposed to the open sunlight, heat, and turmoil of the forum. See Brut. 9, 37.

18. Porcio Latroni. M. Porcius Latro, a Spaniard by birth, and friend of the elder Seneca, lived in the reign of Augustus. His school for the study of declamation, in which he taught chiefly by his own example, was widely known and much frequented. **professor**, in the modern signification of the word, came into vogue in the silver age. **ut petierit.** For the construction. see on 1, 58. **opinionem** = *existimationem, reputation.* **in foro**; contrasted with *in scholis.* **impense**; in its figurative sense: *earnestly.* **uti—transferrentur.** This request was that the benches should be removed from the open forum into some basilica adjacent to the forum.

19. inveniendi eloquendique express briefly the whole compass of theoretical rhetoric. **exercitationem**; such practice as is recommended in the present book. Comp. 1, 4, ad fin. **fuerit consecutus.** The construction of the relative pronoun *qui* is continued by **quoque**: *and who also has attained*, etc. **quod apud maiores**, etc. The custom referred to is well described in Tacit. Dial. 34.

20. et ipse, *himself also*, as well as the advocate he has been listening to. **veras modo.** Comp. § 14: *si modo*, etc. **utrimque**, *on both sides; pro* and *contra.* **decretoriis**, *with decisive* (or *real*) *weapons.* The contrary expression would be

arma lusoria. Spalding compares Suet. Calig. 54: *battuebat pugnatoriis* (i. e., *decretoriis*) *armis.* **Brutum—pro Milone.** See 1, 23. **Cestius**; L. Pius, a native of Smyrna, who taught declamation at Rome a few years before the death of Augustus. One of his favorite exercises was the writing of arguments in reply (*rescribere*) to the speeches of Cicero.

21–23. The youth will be more speedily fitted for the forum who shall be required by the teacher to treat his subjects naturally and thoroughly, instead of selecting from them only the most popular and attractive topics (*favorabilia*), and crowding these together without regard to logical connection.

21. idoneus, *ready;* prepared, that is, for public speaking, especially in the courts. **in declamando**; here, *in writing* or *preparing declamations.* See on 17. **nunc,** *nowadays;* according to the present custom. **favorabilia,** *attractive;* likely to win applause; in § 23 called *flosculos.* **quod secundo loco posui**; that is, the second of the two directions just given: *per totas ire materias.* **classium**; not Ciceronian in this sense of school classes. **certis diebus,** *on fixed,* or *stated days,* perhaps once in the week of eight days; the Roman *ninth* day, or *nundinae.* Every member of the section or class, according to the custom referred to, must have his piece ready for this day, and must be limited to a certain number of minutes in speaking, even though the subject were one which demanded a longer period than the eight days for study and preparation, and more space than could be afforded by the time of one declamation. **persuasio,** *belief, opinion.* **numerantium potius quam aestimantium**; judging of the progress of their sons by the number rather than by the excellence of their speeches. So ii, 7, 1: *ita demum (patres) studere liberos suos, si quam frequentissime declamaverint, credunt; cum profectus praecipue diligentia constet.*

22. primo libro. i, 2, 15. **ut volunt.** The ambition of the young declaimers to "spread themselves" is referred to. *quidam,* adopted by Halm from the best MSS., yields a less satisfactory meaning than *quidem,* which also has good MS. authority. **in rerum natura,** *in the whole universe.* **longiore spatio**; a longer period than the *certis diebus.* **vel materias,** etc., or, he can accomplish the same end by allowing

the subject to be treated in parts on successive declamation days.

23. una; sc. *materia.* **effecta,** *worked out, thoroughly handled.* **quod** refers to *plures inchoatae et degustatae.* **legem,** *law* of place; *order.* **priora confundant.** The youth in their eagerness to crowd into their limited speeches (*in ea quae sunt dicturi*), or into those passages they will have time to speak, all the fine things that pertain to the entire subject (*flosculos omnium partium*), break up the logical order of the matter, mixing what should precede with what should follow.

CHAPTER VI.

PREMEDITATION.

1–7. Premeditation, occupying the middle ground between writing and pure extemporizing, and perhaps more frequently employed than either of them (*nescio an usus frequentissimi*), can be cultivated to such a degree by progressive exercise, that an entire discourse may be prepared without the use of the pen. But the orator must not so scrupulously adhere to what he has premeditated as to exclude every new idea (*color*) suggested or inspired during the actual delivery of the speech.

1. quae et ipsa, *and this itself also*; premeditation also as well as speaking; which, as stated in 3, 1–4, derives its strength chiefly from the pen. Compare the use of *et ipsa,* 1, 31, and see note. **extemporalem fortunam.** Comp. §§ 5, 6; and 7, § 13. **inter medios rerum actus,** *in the midst of legal proceedings,* or *of the trials of cases.* While arguments or pleadings of causes are in progress, the well trained advocate can be thinking out a speech. So *inter ipsas actiones,* xii, 3, 2.

2. satis erat. See on *fas erat,* 5, 7. **intra se,** *by itself;* thought carries on this work within itself and without recourse to writing. **praeter manum**; i. e., *praeter stilum.* **nam.** See on 1, 12. **scribendi**; genitive of cause. Writing furnishes a sure means of recalling our ideas; hence, when we have this security, our arguments are not fastened (*inhaerent*) carefully in the memory, but rather are *loosened* (*laxantur*); the mind making no effort to retain what can be at any moment recalled by

a glance at the paper. **ne ad hanc quidem**; no more to this power than to that of writing. See 3, 5–9.

3. facienda forma est, *form must be attained;* a habit of casting words into good forms and phrases must be so established by much use of the pen (*multo stilo*), that when we are thinking out a speech, the proper words may come into our minds at once with the ideas, and spontaneously fall into their places. See 3, 5–10; especially § 9: *verba respondebunt*, etc. **reddi fideliter**, *correctly* or *faithfully uttered;* just as premeditated. **vis**, *power;* power of mind sufficient to grasp and hold ideas and words in premeditation alone, and without the help of the pen. **continenda**, *to be kept up; maintained.* **illum locum.** The subject of memory is treated of in xi, 2.

4. pervenit. Supply *vis.* **cui—ingenium**, *whom his own nature* (his want of attention and memory) *does not hinder.* **acri studio**, *by persistent*, or *severe exercise.* **ei fidem servent**, *keep their faith with him;* do not fail to recur to his mind at the proper moment in his speech. **Cicero—tradidit.** The passage relating to Empylus, who is not elsewhere mentioned, is no longer extant. The remark about Metrodorus of Scepsis is in De Orat. 2, 88; that about Hortensius, in Brut. 88. **in agendo**, *in delivering* their speeches.

5. extemporalis color; *some felicitous thought.* The tone imparted to a speech by an unprepared idea or expression, suddenly flashing (*offulgens*) upon the speaker's mind. The opposite notion is *scriptorum color*, 7, 7. **demum**, *alone.* See on 1, 44. **habent.** The subject is *cogitata. premeditated things.* **curae**, *careful accuracy;* namely, in their preparation. **fortunae**; that is, extemporary chance. **etiam scriptis—inserantur.** Even in *written* speeches, which are usually more exact than those which are only premeditated, suddenly inspired thoughts (*subito nata*) are often introduced at the time of delivery.

6. domo adferre, to bring from home. Comp. 7, 30. **refutare**; in the sense of *repudiare, reject, despise.* **temporis munera**, *the inspirations of the moment.* **nos—decipere**, *to make us stumble;* by catching us unequipped with well shaped thoughts, well memorized. **non.** After the first *non* supply *fiet ut illa.* **sollicitos**; supply *nos.* **una spe suspensos recordationis**, *depending only on the hope of remembering.* **non**

sinant, *forbid.* **providere**, *to look forward;* to anticipate what is coming next in order; as opposed to the foregoing *respicientes, looking back*, and trying to recall our premeditated ideas. **temeritatem**, *daring* or *rashness;* the plunging into a speech without any preparation whatever. **male cohaerentem**, *poorly memorized;* imperfectly held together in the memory.

7. peius quaeritur retrorsus; literally *peius* (*for the worse*) is adverbial and joined with the impersonal *quaeritur;* freely: *it is worse to look back.* We should be at a greater disadvantage in going back, as it were, to find the premeditated ideas that we have forgotten, than to give up all thought of them. **dum illa desideramus**, *while we are at a loss for them;* namely, the things we have prepared by premeditation. **si utrumque quaerendum est**, *if* (or *since*) *both things require seeking.* The two things meant by *utrumque* are, on the one hand, our ill remembered premeditation or prepared thoughts (*cogitata*), and, on the other, fresh ideas still contained in the subject. There must be an effort on the part of the speaker to *find* something to say either in one or the other of these two things; both alternatives alike involve the necessity of seeking; and, if so, it will be better to look forward, and seek and find (*invenire*) his matter in the subject itself than to go back, as it were, and grope about for it in his half-forgotten train of preconceived thought; for more new ideas can still be found in the subject than it has previously suggested. Halm adopts *utcumque* (*any how, in either case*) for *utrumque.*

CHAPTER VII.

THE EXERCISE OF EXTEMPORARY SPEAKING.

1–4. The ability to speak effectively on the spur of the moment is indispensable to an orator.

1. renuntiabit. In this sense *renuntiare* is followed either by the accusative or dative of the thing renounced. **in publicum** = *in commune; for the common good;* for the benefit of the state and the citizen. **intrare** depends upon *convenit.*

"Entering a harbor" here is, of course, as a pilot. **ad quem—possit** is only another way of saying "dangerous"; reached through an unsafe channel. A pilot who offers his services to steer ships into such a port must have skill and presence of mind, especially in stormy weather or in baffling winds. So an advocate must have the ability of extemporaneous speech to meet the sudden change of issues and all emergencies which are the windings, rocks, and shoals in judicial controversies.

2. repraesentatis iudiciis, *trials being suddenly appointed;* brought on without notice. **continuo**; join with *agendi; of speaking at once; instantly.* **petentibus, perituris**; dative of interest: *will he seek for them,* or *for their benefit.*

3. quae—casus. This is the reading of Bonnell in his edition of the Tenth Book. *ratio* for *oratio,* adopted by Spalding from early editions, has no MS. authority. The sense seems to be: What speech (argument, occasion of forensic speaking) allows any advocate to leave sudden issues unnoticed (*omittere casus*). The speaker may find himself confronted with some unexpected fact in the evidence, or with some question or objection suddenly raised by his opponent or by the court, giving a new aspect to the case; sometimes, too, the new evidence and the questions may suggest something advantageous to his own side. In either case he is unfit for his office, if he is not ready to meet them or to take advantage of them on the instant, and without regard to his written or premeditated speech. He can not pass by in silence, or ignore such accidents of litigation and be an orator. Comp. 1, 2, xii, 9, 20. **fallunt,** *disappoint us, cheat our expectation;* the advocate on the opposite side not pursuing the line of argument which we had anticipated, and "against which we had prepared our written speech." **ad incursus.** See on 2, 1. **agenti,** *by the speaker,* or advocate; dative of the agent after *mutanda est.* **ad varietatem,** *according to the changing aspect; ad varios casus.*

4. malit, possit. Supply *orator.* See on 1, 7.

5–33. Certain Practical Exercises necessary to Success in Extemporary Speaking.

5–7. *First,* in this exercise let the student be sure of the order, method, pathway, or track of his argument (*nota sit via dicendi*); and

not only the order of the regular *partes* or divisions (that is the *introduction,* the *narrative, proof,* and *conclusion*), and the order of the principal points (*questionum*), but also the order of the matter and thought *in all its detail,* under every head and in every passage and paragraph (*quoque loco*).

5. neque—potest, freely translated: *for we can not run a race.* **quo,** *to what end;* **qua,** *by what track.* We must keep our eyes on both the goal and the track. **quae sint** is the reading of Zumpt, substituted for **quae sunt** in the MSS. **quae—copulata.** The ideas legitimately belonging to any passage or topic have a natural and logical connection and order.

6. ante omnia, instead of *primum,* introduces the first advantage, **deinde** the second, and **postremo** the last. **quaerant,** *look for,* as matter of discourse. Comp. 6, 7. The subject to be supplied as in 1, 7. **sensibus,** as in 3, 33. **ex diversis,** *out of,* or *with incongruities;* ideas seized upon at random, as they happen to strike the mind in its haste and confusion.

7. citra, as in 1, 2. **divisionem**; here, the distribution of the matter of the speech both into the general divisions and subordinate heads, and also into the minuter passages and sentences; their order constituting the *via dicendi.* **expletis—proposuerint,** *all the propositions which they have stated, being fully argued.* **sed quid quoque loco,** etc. vii, 10, 5: *non enim causa tantum universa in quaestiones ac locos diducenda est, sed hae ipsae partes habent rursus ordinem suum.*

7–10. *Second,* command of words and facility of speech to be kept up by unremitting exercise; so that by habit the speaker may readily pronounce one passage while anticipating another.

haec quidem, etc., *these* (foregoing) *things depend on art;* that is, are reducible to specific directions or methods; but the following (*illa*) depend upon study; that is, severe labor, such as that of reading, imitation, writing, previously treated of, and the exercise of speech itself according to the following suggestions. **quemadmodum praeceptum**; namely in Chap. I. (*ut*) **stilo—formetur oratio,** as taught in Chaps. III, IV, and V. **ut—dicamus,** as taught in the present chapter. **scripserimus.** For the mood, see on xii, 10, 53.

8. consuetudo, etc., has reference to the last mentioned

practice of speaking constantly in connection with writing. **os concurrit,** *the mouth comes together; is closed;* loses its facility of utterance. **naturali—mobilitate animi.** The mind must be naturally quick of movement that can express properly what is to be said on the instant (*proxima*), and at the same time be shaping (*struere*) what is further on. **provisa et formata cogitatio,** *thought anticipated and molded,* is a fuller expression of *struere ulteriora.* **vocem—excipiat,** *may be ready for our voice,* or *utterance.*

9. vix—queat. Yet this natural quickness of itself is not enough for the manifold or complicated task (*officium*) of the extemporary speaker; he must also possess as a second nature habits of language and action which will operate spontaneously, and as it were, take care of themselves. **ratio** = *ars.* **elocutioni,** *the language.* **dicit,** in the relative clause, takes a new subject, *orator.* **adhibita—observatione,** *while* (at the same time) *attention is given to delivery.* Delivery (*actio, pronuntiatio,* in their generic sense) comprehends the management of the voice and that of the person, or gesticulation; but *pronuntiatio* is restricted here to the voice, just as *actio* sometimes is to gesture. See 1, 17.

10. prae se res agat. Our attention or thought must, as it were, be pursuing or chasing the ideas that are still in advance of us. **prorogetur,** *should be drawn;* a metaphor derived from money transactions. The speaker is to be calling forth, or drawing continually from his reserved funds, that is, from the remaining or latter part of his subject matter (*ex ultimo*), just so much as he is momentarily expending in delivery. **brevia, concisa,** *short, broken phrases;* indicating unreadiness.

11–14. *Third.* Hence the necessity of a mechanical or *unreasoning* (*inrationalis*) habit; the Greek ἄλογος τριβή.

11. flexus, transitus. The action of the eye itself in reading is ascribed to the lines of the manuscript. *Flexus* seems to refer to the turning of the eye from the end of a line to the beginning of the next, and *transitus* the passing from one column of the manuscript to the next. **dixerunt.** The subject is changed to *lectores.* Comp. § 9. **quo constant,** *and of*

this nature are. *quo* relates to the sort of habitual thing or process indicated in the foregoing illustrations. **pilariorum ac ventilatorum,** *ball-throwers and jugglers;* performers with the cups and balls and of sleight-of-hand tricks. The words are not thus used elsewhere. The genitive limits *scaenis* (*shows*), not *miracula.*

12. ita—si. In a limiting sense: *only so far as.* **de qua locuti sumus;** the art, namely described in § 5–7. **in ratione versetur,** *may be associated with method;* based upon art, method, or rational principle, though mechanical through habit. **tumultuari,** *to rant.*

13. sermonis contextum, *the mere continuity of speech;* the mere train of words. **cum eo quod,** *moreover.* This elliptical phrase occurs in Quintilian, ii, 4, 30, and xii, 10, 47, as well as in other writers of the silver age. Fully expressed the sense is: *Besides this* it must be added *that; moreover,* it is a fact *that.* Halm substitutes *quod si.* **tulit,** *impels.* The perfect here is used, like the Greek aorist, to denote an action of common occurrence. So § 14, *accessit, restitit;* and 3, 6, *refrixit.* **ut—possit;** "*Ut successus orationis extemporalis vincat successum curae et meditationis.*" Spalding. **cura,** *study;* that of *writing* and *premeditation.*

14. Cicero dicit. The passage in Cicero is not extant. **bene concepti adfectus,** *well-wrought,* or *deeply-felt emotions.* **recentes rerum imagines,** *fresh, vivid conceptions;* that is, a lively imagination. **refrigescunt,** etc. Comp. 3, 6. **infelix cavillatio;** the morbid self-criticism spoken of in 1, 115, and 3, 10. **ferri contorta vis.** The metaphor is drawn from the hurling of missile weapons; perhaps especially the sling. Cicero uses the same figure in Or. 20, 66: *haec* contorta *et acris oratio;* and 70, 234: *Demosthenes, cuius non tam vibrarent fulmina, nisi numeris* contorta *ferrentur.* We may translate freely: *the bolt of eloquence can not be hurled.* **ut,** *though.* **non continua sed composita,** *the language does not flow on, but is put together.* It has not the character of spontaneous eloquence, but that of studied composition. For the subject of *est* supply *oratio.* Comp. § 26, and 1, 29.

15–17. *Fourth.* The extemporary speaker, therefore, must cultivate a lively imagination, that his feelings may be deeply impressed with all

the facts of place and person and all the interests of the case; must have distinctly in view the whole pathway of his discourse; he will also get incitement even from the presence of his audience.

15. quare; because, namely, of the power of *recentes imagines*, just spoken of. **capiendae**, *to be caught, seized upon;* fully apprehended. **de quibus dixi.** As, for example, in viii, 3, 64, where he says that Cicero has his imagination so impressed with the appearance of Verres on a certain occasion, and so describes it, that the hearer *non solum ipsos intueri videatur, et locum et habitum, sed quaedam etiam ex iis, quae dicta non sunt, sibi ipse adstruat.* **quas—indicavimus.** vi, 2, 29: *quas φαντασίας Graeci vocant, nos sane visiones appellemus, —has quisquis bene conceperit, is erit in adfectibus potentissimus.* **in adfectus recipienda.** The depth of emotions depends upon the vividness of the images in the mind. **pectus et vis mentis**, *passion and force of imagination*, corresponding to the above *adfectus* and *oculis*. The order of the ideas is the same as in § 14, *adfectus, imagines.*

16. tum introduces the *second* help pointed out in this paragraph. The first was *imagines*, etc.; the third, below, is *etiam pudor*, etc. **circa**, *on either side.* He sees not only the avenue itself, but all the objects along the sides of it. **pudor.** Dreaded shame, the fear of failure, is an incentive. **congestu signorum**; *by the mustering of the standards.* Halm has adopted the reading *congestu signorum* on the authority of the Bernese and Bamberg MSS. The assembling of the legionary standard bearers with their ensigns around the tribunal of the general, while he addressed the army on the eve of battle, is illustrated on the monumental column of Trajan at Rome.

17. difficiliorem; *too much laboring;* thought that usually moves, or works itself out, too slowly. **exprimit et expellit**, *develops and hurries forth;* i. e., in utterance. **secundos impetus**; *the successful impulses* occasioned by *dicendi necessitas.* **pretium**; here for *praemium*, which some editions substitute. **opinionis**, *reputation.* See on 5, 18.

18–23. *Sixth.* No one can hope to attain extemporary facility without the same gradual and patient course just now recommended in premeditation; nor should the orator presume so much on his ability as not to take a moment, before rising, to glance mentally at the heads of

his discourse; and in the courts there is always opportunity for this; but if on any occasion no time is allowed for it, he must begin deliberately, and go on slowly, but without faltering, until he can get his ideas in order.

18. nec fidat. See on 3, 5. **id**; this readiness in off-hand speaking. **in cogitatione praecipimus.** See 6, 3. **summam**, *perfection.* **contineri**; as in 6, 3.

19. debet. Supply *ea*, or *facilitas extemporalis.* **non utique melior**, *not necessarily better.* **cum hanc**, etc.; and we can make it fully equal to premeditation, *since*, etc. **prosa, carmine.** Cicero would have said *in prosa, in carmine*, which, indeed, is found in one of the MSS., and adopted by Halm. **Antipater** of Sidon, an Alexandrian poet, flourished about 130 B. C. Cicero, de Orat. 3, 50: *quod si Antipater ille Sidonius . . . solitus est versus hexametros aliosque variis modis atque numeris fundere extempore, . . . quanto id facilius in oratione, exercitatione et consuetudine adhibita, consequemur.* **Licinius Archias.** See Cic. pro Archia, 8, 18. **non quia**; elliptical I do not quote Cicero's authority because we have not abundant examples in our own times, but because his authority, at any rate, will be unquestioned. **quod ipsum**, *which* (accomplishment) *in itself.* **in hanc spem**; for *huius in rei spem.* See on 3, 2.

20. neque sit. See on *nec fidat*, § 18. **saltem.** See on 2, 15. **didicerit.** See on xii, 8, 1.

21. declamatores. See on 1, 71. **exposita controversia**, *as soon as the question is stated.* **frivolum**; not a Ciceronian word. **scaenicum**, *like the stage;* because actors start off in this way with a "cue." **petant**; connected by *quin etiam* to *velint.*

22. si; as in 6, 7. **habet**, *secures.* **suspensa ac dubitans oratio**, *speech* (manner of speaking) *slow and thoughtful.* **deliberare, haesitare**; to seem *to be pondering, considering* what ideas to choose is consistent with strength and self-possession; not so to *halt* and *falter.*

23. hoc; sc. *faciendum est*, or *fieri potest;* an ellipsis found also in vi, 4, 10, xi, 1, 76. **id potius** (*est*). Comp. viii, 6, 25, ix, 4, 57.

24–29. *Seventh.* The exercise of declamation must never be remitted, even during professional life; aided, too, by the practice of *mental* speaking, or *cogitatio*, by correct habits of language in conversation, and, above all, by constant use of the pen.

24. continetur—ars. Art (science, theory, rules), once understood remains fixed in the mind (*non labitur*); even the pen loses but little by the remission of practice; but this extemporary ability, the essential characteristic of which is readiness for action, is kept up (*continetur*) by active exercise alone. With **labitur** supply *ex animo*. The sense as used here is fully expressed in Verg. Ecl. 1, 64: *quam nostro illius labatur pectore voltus.* **promptum hoc**, etc., translated freely: *this attainment which requires readiness and instant action;* quite literally: *this thing, off hand* (as it is) *and consisting in readiness* (*in expedito*). A similar form occurs in ix, 1, 13: *simplici atque in promptu posito dicendi modo.* But Krüger takes *promptum* and *positum* as abstract nouns: *this promptness, this consisting in readiness;* referring to Z. 637, n. **positum**, *lying in, consisting in, dependent on;* as in 1, 3, xii, 3, 7. **hac**; sc. *exercitatione.* **rarum est, ut**; equivalent to *rarum fit, ut.* See on 2, 18.

25. est et illa exercitatio, *we have also* (as a help) *that practice*, etc. See 6, 3 and 4. **dicat**; sc. *orator.* **explicari**, *freely developed, worked out.* **in parte**: here, *in one respect.* **haec proxima**; namely, the exercise of declamation just mentioned in § 24.

26. diligentius—componitur. *It* (that is, discourse thus premeditated) *is more accurately put together.* The grammatical subject is *exercitatio;* but the verb is chosen with reference to the speech itself, or to the train of thought, on which the mind is exercised. Hence *oratio* may be considered the virtual subject. **illa**, like *proxima*, refers to the practice of *extempore* speaking, either alone or in the presence of others, in which we are ashamed to stop in order to think of the most appropriate ideas and words. **contextum dicendi.** See on § 13. **in alia**; explained by *firmitatem*, etc., which are in the same construction after *in*. Either the accusative with the preposition or the dative is used after *conferre* in the sense of *contribute*, or *to be advantageous.* See 1, 1, 63, 71, 95. **prior**; namely, speaking. **oris facilitatem**, *ease of utterance.* **ut dixi.** See 3, 21. **hortatur**, *arouses.*

27. lucrativae. The earlier manuscripts give this word; but as it belongs to the Latin of a much later period than

Quintilian, it is questionable here. The passage referred to in Cicero is quoted only in substance. Quintilian has in mind the remark addressed to Brutus in the Orator, 10, 34: *quantum illud est, quod in maximis occupationibus numquam intermittis studia doctrinae; semper aut ipse scribis aliquid, aut me vocas ad scribendum.* **C. Carbo** was consul B. C. 120, and the year afterward was driven to suicide by the prosecution successfully conducted against him by the young orator Crassus. Cicero, in the Brutus, 27, 103, 105, commends his eloquence and his industry. Cicero also says that L. Gellius spoke of himself as having been a *tent-companion* of Carbo. Nothing, however, is known of any military campaign carried on by Carbo.

28. Ciceroni. The remark referred to is not extant. **sermonem**, our *language* or *speech*, in general, even in ordinary conversation. **pondus**, *solidity.* Writing leads us to criticise the words we use, and thus secures to our expression more of significance and substance. **innatans**, *floating;* here *superficial.* **in altum reducetur**, freely rendered, *will be brought to depth of significance.* **proximas radices**, *the topmost roots.*

29. ac—prosit, *and I rather think there is a reciprocal advantage;* that each helps the other. **scribendum—videatur.** This passage has reference to the preparation for cases in hand. If the advocate has time for writing, that is the best thing; if there is no opportunity for writing, then he must resort to premeditation; but if excluded from both, he should, by means of the discipline recommended in the present chapter, always be ready to speak whenever called upon, and able to serve a client even without writing or premeditation. **deprensus**, *taken by surprise.* **destitutus**, *deserted.*

30–33. *Eighth.* The proper use of notes and skeletons.

30. domo adferunt. Comp. 6, 6. **subitis**, *for emergencies;* unforeseen questions, or developments in the course of the trial. **commentariis**, *from his note-books;* memoranda, outlines, or skeletons. Quintilian also mentions Cicero's outline speeches in iv, 1, 69. None of them have been preserved, not even the abbreviated copies made by Tiro. **feruntur**, *are spoken of.* See 1, 24. **ut eos**, etc., qualifies *inventi forte: they have been found, perhaps, just as*, or in the form in which each

orator intended to make the actual speech. **eos** is the object of *composuerat.* **dicturus**, *when about to deliver them.* **ut**, *as, for example.* **causarum**; sc. *commentarii; outlines of cases.* **Sulpicio.** See 1, 116, and note. **hi**, *these* extant commentaries of Sulpicius, as distinguished from his three extant *orationes.* **ab ipso**, *by* (Sulpicius) *himself;* not by a secretary, as in the case of Cicero's commentaries about to be spoken of.

31. nam. I mention this finished character of the three outline speeches (*commentarii*) of Sulpicius, as written out by himself; *for* Cicero's were different, being prepared by him (*aptatos*) only for the occasion, and afterward reproduced by Tiro in a shorter form. **contraxit**, *abbreviated.* Tiro has left these sketches still briefer than they were written by Cicero. So Bonnell and others. Some, however, take *contraxit* in the sense of *collected.* **non ideo quia non probem.** H. 516, ii, 2; Z. 537. *quia* instead of *quod* in this idiom belongs to the later prose writers. **ut sint** as the purpose of *excuso*, is *substituted* for the regular apodosis: *sed quia sunt eo magis admirabiles.* The sense is this: I do not make this apology or explanation (*excuso*) as to the character of Tiro's skeletons of Cicero, compared with the studied and literary finish of those of Sulpicius, with any idea of implying inferiority; but rather that their admirable adaptation to the purpose of such notes may be the more apparent (*magis admirabiles*). Such sketches should be estimated by their fitness for the temporary occasion, not as permanent literature. **in hoc genere**; i. e., in this kind of *ex tempore* preparation. **recipio**, *I allow, admit.*

32. Laenas. Popilius Laenas is mentioned in iii, 1, 21, as a contemporary of Cornelius Celsus. See x, 1, 24. He is named elsewhere only in xi, 3, 183. **vel in his—conferre.** The genuine text here can not be determined. The passage, according to our reading, may be thus interpreted: Laenas teaches us even in our *written* speeches (*in his quae scripserimus*) to gather the principal arguments (*summas*) into a memorandum and heads; that is, to make outlines of written speeches, with which to help the memory. Instead of *in his*, limiting *summas conferre*, we might have *eorum*, limiting *summas.* **quae scripserimus**; written speeches as opposed to the *hoc genere* (*the extemporary kind*) just mentioned, in which such notes of topics

are admissible. **haec fiducia.** The security one feels in having such notes to fall back upon, leads to negligence in memorizing the written speech, and thus it is marred and disfigured. See on 3, 2. **quod—persecuturi**, *what we do not intend to commit perfectly to memory;* for it is better to extemporize. *Non* is omitted by Spalding and others, following the best MSS. **id quoque accidit**, etc. What is remarked here of the disadvantage of imperfect memorizing in connection with *written* discourses, is parallel to what is said on ill-remembered *premeditation* in 6, 6; subjecting the speaker to doubt and hesitation between the things he has written and can hardly recall, and the new ideas (*nova*) still contained in his subject, which he might better extemporize.

33. de memoria. xi, 2.

BOOK XII.

THE MORAL CULTURE, THE SUBSIDIARY STUDIES, AND THE DUTIES OF THE ORATOR.

THE Twelfth Book, according to the purpose stated by the author in the prooemium of the first book (§ 22), treats of the moral character to be cultivated, the studies to be engaged in, and the course of life to be followed by the orator after leaving the school of the rhetorician. The book is divided into eleven chapters, introduced by a prooemium. *Chapter first* discusses the proposition that none but the good man ought to be an orator, or can be a true orator. *Chapter second* treats of things necessary to the formation of the morals of the orator; *chapter third*, of the importance of studying law; *chapter fourth*, of the study of history and fiction; *chapter fifth*, of desirable qualities of mind and person; *chapter sixth*, of the proper time for entering upon the practice of the profession; *chapter seventh*, of the principles which should guide the advocate in accepting or declining the charge of cases; *chapter eighth*, of the proper mode of investigating cases; *chapter ninth*, of what should be the aim of the orator in his pleadings; *chapter tenth*, of the style of eloquence he should cultivate; *chapter eleventh*, of his pursuits after giving up the profession of public speaking.

THE PROOEMIUM.

The difficulty of the author's task in writing the Institutions, already found much more formidable than he had anticipated at the beginning, will be greatly enhanced in this final book, both on account of the newness of the subject and of the absence of any example or authority excepting that of Cicero.

1. ferens, *while* (actually) *bearing it;* as opposed to *opinione prima, the first estimate* or *conception* of the task (*onus*).

2. a parvis, *from*, or *with small things;* namely, the advice in regard to elementary instruction given in the first two books. **dum—praecipimus**, *while I was teaching.* See H. 467, 4; and note on x, 1, 125. The reference here is to that part of the work which treats of invention. **nec—et**; correlative, as below in § 4; *while not—at the same time.*

3. rarus—reperiebatur. When treating of the subject of style (*eloquendi rationem*) in the eighth and the following books, the author found fewer authorities to follow than in the foregoing divisions of his work, which were occupied with the *substance* rather than the *rhetorical form* of discourse. vi, 2, 3: *certe sunt semperque fuerunt non parum multi, qui satis perite, quae essent probationibus utilia reperirent.*

4. caelum undique, etc. Aeneid, 3, 193. **M. Tullium.** Orator, 53: *id mihi quaerere videbare, quod genus ipsius orationis optimum iudicarem.* Cicero aims in the "Orator" to describe the kind of style which the public speaker must possess in order to adapt himself to all occasions, and without which he can not be a consummate orator. He does not treat, however, of the other topics which Quintilian proposes to discuss in the present book. **demum**, *only*, or *alone.* **mores.** The topics are given a little more fully in the prooemium of Book I, § 22. See also Introduction, pages 14–16. **antecedentem**; sc. *quemquam scriptorem.* **honestorum**; subst. neuter. **quibus—est** (things, enterprises), *to which indulgence is more readily accorded.*

CHAPTER I.

NONE BUT THE GOOD MAN CAN BE AN ORATOR.

1, 2. The orator, that is, the public speaker who takes upon himself the responsibility of advising the people and the senate, or of pleading in the courts, must be not only able in speech but also a good man; this is the sentiment handed down to us by Cato, and must be accepted as an axiom; for no man has a right to pervert nature's beneficent gift of eloquence to evil uses.

1. a Marco Catone finitur. This definition was given by Cato in his "de Oratore," a treatise addressed to his son, and mentioned by the elder Seneca, in the preface to his "Contro-

versiae," i, 1. It is adopted by Quintilian in ii, 15, 1. **verum—utique**, *but by all means; at any rate.* **id—quod** refers to the following *vir bonus* (*sit*). **id non eo tantum**, *this* (*let him be*), *not only for this reason. Non tantum* should regularly be followed by *sed etiam*, introducing the apodosis *rerum ipsa*, etc.; but the period is broken by the insertion of the question *quid de nobis loquor*, as a livelier substitute for the proper connectives. The sense seems to be this: Not only would eloquence, if the bad man could properly be an orator, become a curse, and I also, as a teacher of it, an accessory to crime, but to say nothing of myself, nature, too, would be found an enemy to her own children in bestowing upon them such a powerful instrument of mischief.

3-8. But I go still further: not only do I maintain that none but the good man has any right (*oportere*) to be an orator (political and judicial), but that none other in fact can become such (*futurum*); none other can effectively accomplish the proper work of the orator; for, first, the bad man can not be intelligent and prudent; second, the corrupt mind while it has no affinity with noble studies, at the same time, distracted by evil passions and aims, has no power to concentrate itself upon a severe study such as that of eloquence; and, again, by lust and luxury it is unnerved for labor, while it can neither have any laudable ambition nor that love of justice and equity which is essential to the true orator.

3. cum—induantur, *since they are involved, entangled;* followed regularly in this sense by *in* and the accusative.

4. sapientibus dicitur. It was the sentiment of the Socratic school that the bad man was necessarily a foolish man. For the dative of the agent in the later prose writers, see Z. 419, *note.*

5. etiam, etc. Even the ordinary cares and the innocent pursuits of private life, though free from reproach (*culpa carentibus*), are incompatible with the severe and persistent study necessary to perfect oratory; much more the distractions of a vicious mind and life.

6. huic—rei perit, *is lost to this occupation.* **cupiditatem**; here *ambition*, as in Pliny, Panegyr. 7. **impotentissimae.** *impotens* (sc. *sui*) is very frequent in the sense of *ungovernable, unbridled.* **somnos—et illa—visa perturbant**, *disturb our slumbers and* (breed) *those nightmares;* occasion restless slumbers and those fearful dreams.

9-13. But even if it were conceivable that the bad man could be equal to the good in talent (*ingenii*), earnestness of application (*studii*), and attainment (*doctrinae*), he would necessarily be inferior to the good in the effect and success of his eloquence; and therefore not a perfect orator; for the chief end of oratory is to convince and move; and so far from accomplishing this, the bad man, often through failure in his false simulation of honest motives, and always through his evil reputation, weakens the cause he advocates; while the good man, even if under some necessity (*aliquo ductus officio*) he defends an unjust cause, yet through the very fact of his good reputation will be likely to carry his point with the jury and with his audience.

8. frugalitas; as in x, 3, 26.

9. demus, *let us concede.* **idem**; partitive, as in 9, 11, i, 2, 14, et al.

10. more Socraticorum. The Socratic philosophers were accused of fashioning the supposed objections of opponents in their imaginary dialogues in such a manner as to make the reputation of them easy for themselves.

12. si quando—conabitur, *if he shall ever strive to maintain these propositions falsely. Haec* refers to the things, *quae proposita fuerint*, in § 11. **ut mox docebimus.** See below, § 33, sqq. **opinionis**, *reputation;* as in x, 5, 18. **excidit—simulatio**, *their disguise falls off.* The bad spirit in the man asserts itself in spite of his effort to seem good and sincere. **inde**; illative, *hence.* **immodeste**, *imprudently, rashly.* They make hasty assertions that they can not prove or sustain. **sine pudore.** They feel no shame in maintaining what they know to be false.

13. quae—non posse. They persistently and to no purpose strive to accomplish things which are absolutely impossible; that is, to make their hearers accept their statements as trustworthy, while they themselves are notorious for the lack of moral principle and especially of veracity. **improbas**, *inordinate.*

14-22. In reply to the question: were not Demosthenes and Cicero orators, though not good men, the answer is given in the first place, that notwithstanding the charges alleged against them, they were eminent for public virtue; and again, as we call some men wise, not meaning that they are absolutely so, but wise compared with men in general, in like manner we may call these two men orators, though not absolutely perfect; and, moreover, in this relative sense, or humanly speaking, Cicero

may be called even a perfect orator; though he himself did not think that the true orator had yet appeared.

14. invidia, *censure*; likely to be incurred by the answer of Quintilian, as it will take the ground that Demosthenes and Cicero were, after all, not absolutely perfect orators. **mitigandae—aures,** *first I must win their ears;* I must persuade these questioners to think better of the moral character of the two great orators.

16. in ulla parte, *in any particular.* **provincia administrata.** Cicero was governor of Cilicia in B. C. 51. **repudiatus vigintiviratus.** Caesar's agrarian law (B. C. 59) provided that twenty commissioners should be appointed to superintend the distribution of Campanian lands, contemplated in the law; but Cicero declined the place offered to him on this commission, though honorable and likely to be lucrative. See Ep. ad Atticum, 9, 2. **declinatus,** *swayed, turned away;* that is, by the influence of Caesar and his followers. **optimis—partibus.** This term and also *optimi* were in common use to denote the party of the senate, at this time headed by Pompey; at least, they assumed to be the *optimi.*

17. non se timidum, etc. The precise words can not be found in any extant work of Cicero. The sentiment, however, is expressed by him in several places; as in Ep. ad Familiares, vi, 21: *itaque ego, quem tum fortes illi viri et sapientes, Domitii et Lentuli, timidum esse dicebant (eram plane: timebam enim, ne evenirent ea, quae acciderent), idem nunc nihil timeo, et ad omnem eventum paratus sum.*

18. sic—quomodo; correlatives, as in x, 2, 25, et al.

19. quorum—datur, *of which* (qualities) *none is attributed,* etc. **proprie—veritatis**; as opposed to *communem loquendi consuetudinem.* **quaerام.** See on x, 2, 28.

20. vix—invenio. See x, 1, 106, sqq. **fortasse inventurus,** *though perhaps I may find.* For this concise usage of the participle, see H. 549; Z. 639, note. **adhuc abscisurum,** *he would have still pruned off.* He would have still further chastened the exuberance of his earlier style. See Brut. 91, and Orat. 107, sq. Comp. also 6, 7. **securiore,** *more undisturbed;* that is, by public cares. **non maligne crediderim,** *not unjustly may I venture to think;* in no carping spirit I would express the belief. **summam.** See on x, 7, 18.

21. et—perfectus. There are different interpretations of this passage. It may be paraphrased thus: I have said that Cicero, humanly speaking, was a perfect orator, and that no one has come nearer to absolute perfection. But even if I thought otherwise, if I thought him still less perfect than I do, I should be at liberty (*licebat*), and I should have no fear to maintain this (*id defendere*) more boldly even than what I have already said; for I have the example of Antony asserting that he had never seen one that could properly be called *eloquens,* even in a limited sense; which was saying so much less in praise (*quod tanto minus erat*), so much more in disparagement of all orators, than I should say of Cicero, even if I should put him still lower than I do. For he is certainly *eloquens,* no matter how imperfect. Cicero also himself says that he seeks in vain his ideal among actual orators. May I not then venture to say that something more perfect may come to light in the eternity still before us? **quaerit,** *seeks* (in vain). Comp. 11, 2, x, 2, 28.

22. transeo illos; because their hypercritical severity is not worthy of our attention. **dormitare.** See x, 1, 24, and note. **qui—reprehendunt.** The allusion may be to the strictures of Calvus and Brutus on Cicero, mentioned in the Dialogue de Orat. 18: *legistis utique et Calvi et Bruti ad Ciceronem missas epistolas, ex quibus facile est deprehendere . . . Ciceronem a Calvo male audivisse tamquam solutum et enervem, a Bruto autem, ut ipsius verbis utar, tamquam fractum atque elumbem.* **compositionem,** *the structure of his periods;* that is, with reference to harmony. **apud ipsum,** *in his own presence,* as it were; or *to his face;* because expressed in letters addressed to him personally. *apud* is thus used in xi, 1, 21: *in epistolis aliquando familiariter apud amicos dicit.* Cicero, also, Ep. ad Atticum, 14, 20, mentions a letter of Brutus disapproving of his ideas of style and "composition," as presented in the "Orator." **Asinio utrique**; that is, the father and son. The former is mentioned in x, 1, 113. His unjust criticism of Cicero is referred to in the "Suasoriae" of the elder Seneca, 6. The son lived under Augustus and Tiberius, and was put to death by the latter. He wrote a critical review of the eloquence of his father, comparing it with that of Cicero, and giving it the preference.

23–32. But allowing that some bad man may be possessed of consummate power in speech (*summe disertum*); we shall still refuse to call him a perfect orator; for our ideal orator must be superior to the regular pleader (*causidicum*) in the courts. Though pre-eminent in the courts both as a defender and prosecutor, he will be still more illustrious (*clarius elucebit*) in the higher duty of guiding the counsels of the senate and in dissuading the populace from error; his eloquence will everywhere, even in the camp, be more effective than that of the bad man; for the latter will often lack confidence in himself and his own motives, and his speech will be at variance with his thought; while the other in his bravery and earnestness will never be at a loss for earnest words (*honestus sermo*); and so the man possessing both virtue and readiness in speech may hope to attain to an eminent degree of eloquence, and perhaps even perfection; but the gift of oratory in an evil man is itself an evil, and makes him still worse.

23. manu prompti, *bold in deed, quick,* or *daring in fight;* as opposed to the following *viri fortis,* the *resolute, courageous,* or *valiant man,* whose fortitude is made constant and enduring by his virtuous principles.

24. ille, qui nondum fuit. See x, 2, 28, and note.

25. operam, *day-laborer, toiler, drudge.* **ut asperioribus—parcamus,** *to abstain from harsher terms; rabula* (*ranter*), would have been one of these more opprobrious names. **causidicum,** *a pleader;* here, a professional lawyer. **tot**; elliptical; so many as we necessarily associate with the great orator; *many.* **datum rebus humanis,** *granted* (as a boon) *to human affairs;* to advance the welfare of mankind.

26. in hoc quota pars; some genitive must be supplied; as *laudis:* "in this perfect orator how small a part of his glory it will be that (*quod*), etc. **calumniam,** here, *fraud, deception.*

27. tum pietate, etc.; Verg. Aen. 1, 151.

28. ex mediis sapientiae praeceptis, *from amid the maxims of wisdom.* Whether the commander be himself a moralist or not, in haranguing his army before battle he will appeal to principles and motives which are the material of moral philosophy. **tot metus,** *so many fears; the manifold terrors.* See on § 25.

29. prodit se—simulatio. The pretense or counterfeit of fortitude, love of country, duty, and honor, will betray itself somehow in his speech, while he is attempting to persuade his followers. Comp. § 12.

30. honestus, *candid, sincere;* not language that disguises one's real thoughts. **rerum optimarum inventio,** the (*ready*) *conception, the flow of the best thoughts.* **honeste,** *candidly, earnestly;* with the earnest and unconscious freedom inspired by strong conviction of the truth and by the sense of duty.

31. iuventus, omnis aetas; appositives of the subject *nos;* all of us, whether young or of every period of life. **in hoc**; probably the accusative; as in Seneca, Ep. 108: *in rem unam laboremus.* The relation is different in v, 10, 119, where the notion is, not laboring for an end, but in certain lines of study. **huc** and **hoc** refer to the desired perfection both of virtuous character and of speech.

32. ad quem (= *quemcumque*) **usque modum,** *up to whatsoever degree, so far as.* **ex utroque,** *from, in consequence of each* (thing); namely, each of the two kinds of attainment, moral and rhetorical. **hoc,** *this idea, sentiment;* explained by the infinitive clause following.

33–35. Objections to these sentiments may be expected from such as prefer to be eloquent rather than good (*diserti quam boni*). To these the author first says something in respect to his own duty as a teacher (*de suo opere*) requiring him to discuss (*pertractare*) the manner of speaking (*quomodo dicatur*), or mode of arguing in support of what is untrue or unjust (*pro falsis, pro iniustis*); which the student of oratory must understand in order to be armed against unscrupulous opponents.

33. coloribus; better translated by the singular: *rhetorical artifice.* The term is used here to include every means resorted to in legal practice to cover up the weak points in a case. See iv, 2, 88; vi, 5, 5: xi, 1, 81, where such *colores* are spoken of. **confessione.** The admission of the fact is sometimes the course to be adopted, and then the crime to be palliated, or all actual guilt to be disproved, etc.; as illustrated in iv, 68–75, xi, 1, 76. **expugnat veritatem**; that is, *excels, surpasses truth,* in importance and value.

34. opere; the *work, office,* or *duty* of Quintilian as an instructor of the orator. **adhibebit**; sc. *medicus.*

35. in utramque partem, *on both sides;* here, of a moral question. **neque—vivunt,** *nor indeed do the disciples of the Academy fail to live according to one of the two;* that is, the

principles of one side rather than the other. On the sense of *alteram*, comp. x, 1, 26, and note.

Carneades, the chief of the academic school, was sent by the Athenians, B. C. 155, as an ambassador to the Roman senate, accompanied by Diogenes the Stoic, and Critolaus the Peripatetic. It was on this occasion that his discourses, the one in defense of justice, and the other overthrowing it, so offended Cato, that he caused a decree to be enacted by the senate requiring the philosophers to depart from Rome.

36–45. Right reason sometimes justifies the good man, when arguing a case before a judge, even in disguising the truth; things must be deemed right or wrong, honorable or base, not by reason of the acts themselves (*factis*), but of the motive and occasion (*causis*); a good man may be obliged to use falsehood and deception in the case of a sick child; much more in diverting an assassin from his intended victim (*ab homine occidendo*), or in dealing with an enemy at war with his country; therefore our orator may be good, and still do a seeming wrong in order to secure the state or the individual citizen against great injustice and great evil, and to promote the greatest good; and so of necessity right and wrong are sometimes defended by similar methods, and the orator, whether advocating one or the other, must employ the same resources of his art.

36. prima propositione, *on the first statement, at the first glance.* **adferre**, *to allege, assert;* so frequently. **auferre iudici veritatem.** This blinding of the judge, or "withholding the truth" from him, is also spoken of as one of the resources of the pleader in iv, 5, 6. **gravissimos** (*esse*) **magistros**; for example, such as Panaetius, Cic. de Off. 2, 14: *nec . . . habendum est religioni, nocentem aliquando, modo ne nefarium impiumque, defendere. . . . Quod scribere non auderem, nisi idem placeret gravissimo Stoicorum Panaetio.* Comp. Quint. ii, 17, 26.

37. hominem—virtus. Examples are Spurius, Ahala, Scipio Nascica, the elder Brutus, and Manlius Torquatus. **asperiora adhuc dictu**, *deeds still more horrible to mention;* such, perhaps he means, as the exposure of Andromeda to the sea-monster, or as the sending of Athenian children annually to be devoured by the Cretan minotaur.

38. ut mendacium dicat. ii, 17, 27: *nam et mendacium dicere etiam sapienti aliquando concessum est.* Plato gives examples of justifiable falsehood in the "Republic," ii, p. 382, ed. Steph; as in the case of deceiving an enemy in war, or of averting harm likely to be done by persons through insanity or ignorance: *πρός τε τοὺς πολεμίους καὶ τῶν καλουμένων φίλων, ὅταν διὰ μανίαν ἤ τινα ἄνοιαν κακόν τι ἐπιχειρῶσι πράττειν.* **nedum.** There is an ellipsis of *ut sit vetitum mentiri; much less that*, etc.

40. nec hoc dico, etc. The following is the interpretation given by Boeckh of this troublesome passage: Nor do I say this as if in all cases I would justify on the ground of duty the act of defending a father, brother, or friend, when placed on trial (*periclitantibus*) and really guilty; for (*quia*) in general I am in favor in such cases of obeying the laws in all their severity; though indeed there may well arise at times in such circumstances a doubt as to the path of duty, and some case of this kind might easily justify deception on the part of the defense; but let us take an example which shall leave no room for hesitation on the ground of natural affection, or on account of a claim of kinship, such as to make us ready to excuse even crime committed in obedience to it; not taking advantage of such an extreme case, I will sustain my proposition by examples in which the question is the naked one of duty to society or to the individual citizen. **qui—orator**; see § 1.

41. nonne utemur—simili. "Will it not be right for us, in such emergencies, to employ the art of oratory in disguising facts and in supporting untruth, somewhat in the same manner as bad men use it? The art is good indeed in itself and in its general application, but yet in its method of appealing to the minds of men it is similar to the evil devices (*malis artibus*) of unscrupulous orators, or to rhetorical methods used for evil purposes." This interpretation the context seems to require, though others understand *arte* here in a more restricted sense: *an* art, a device of oratory, good indeed in the use here contemplated, yet kindred to dishonest devices. But this sense of *arte* would probably have been expressed by *quadam arte dicendi.*

42. ad hoc = *praeterea.* **posse**, sc. *eos.* **futurum**, *is destined to be, will become.* **cui vera obicientur**, *against whom well grounded charges shall be presented.*

43. advocabit; in its frequent sense of "*summoning to the defense of,*" with the dative of the party or person defended.

Fabricius, Rufinum; both distinguished in the war against Pyrrhus. The words here quoted are said by Cicero (de Orat. ii, 66) to have been addressed by Fabricius to Rufinus himself on the occasion when the latter had returned thanks to Fabricius for nominating him, though a personal enemy, to the consulship. Rufinus is called by Aulus Gellius (iv, 8), *furax homo et avaritia acri.*

45. praecipere ac discere. etc., recall the topic of §§ 34, 35. **probatione,** join with *difficilia,* not with *tractentur; difficult in their proof,* or *to prove.* So Badius and Spalding.

CHAPTER II.

MEANS OF FORMING THE ORATOR'S CHARACTER.

1-9. Above all things (*ante omnia*), the orator must cultivate his character by the study of philosophy; for natural tendency to goodness is not enough without instruction; and as orators and rhetoricians have hitherto left this part of their own proper work to the professed teachers of philosophy, the student of eloquence must still seek it from the latter.

1. virtus—est. A continuation of the protasis, *et* being omitted. The sentiment is that of Horace, O. 4, 4, 33:

Doctrina sed vim promovet insitam,
Rectique cultus pectora roborant.

ante omnia; not first of all things in the order of time, but as in x, 1, 3, in importance.

2. scilicet ut confiteantur, *so that forsooth* (as the necessary result implied in such an opinion) *they allow* or *admit.* **contemptissima,** *the most humble.* **virtutem vero habeamus**; in the same construction as *confiteantur,* after *ut.*

3. metus—purgaverit. Such fears as the result of corruption and blindness of mind, need to be removed by the *purifying* influence of philosophy. **tractatum tractarit**; a remarkable instance of negligence in an author of such correct habits. We may translate: *has discussed the doctrines.* **que—que,** *both—and;* as in 11, 8. **populis et gentibus,** *states and nations.* The words, however, are often synonymous. **eruditiore sermone,** *in philosophical discourse.*

4. ad illud sequens; that is, to the second part, or apodosis of § 1; the necessity of adding instruction to natural gifts. **praevertar,** *I will rather turn to;* I will direct the discussion to. So Horace, Sat. 1, 3, 38.

5. tertio de Oratore libro. Cic. de Orat. 3, 19, 27, 31. **dicendi viribus,** *with the powers,* or *resources of eloquence.* **haec**; sc. *philosophia.* **illi** refers to Crassus. **iam,** *now;* but not originally and properly. **in possessione.** Philosophy was not originally the exclusive owner of these moral topics, but she has obtained undisputed possession of them through the negligence of orators and the teachers of rhetoric, who should have retained these things in their own domain. See x, 1, 35.

6. hinc; from this truth, or in accordance with this truth; namely, that ethics are inseparable from the work of the orator. **illud, quod**; explained by the infinitive clauses *facultatem fluere, eosdem fuisse.* **et libris et epistolis**; de Orat. 3, 15; Orat. 2, 12; Ep. ad Fam. 15, 4, et al. **praeceptores eosdem.** De Orat. 3, 15: *iidem erant vivendi praeceptores atque dicendi.*

7. plerique praecipiunt. Seneca, de Tranquil. 1, 7: *sequor Zenona, Cleanthen, Chrysippum, quorum tamen nemo ad rempublicam accessit et nemo non misit.* **Romanum quendam,** etc., *a kind of Roman philosopher, such that* (*qui*), etc. It was not thought consistent with the duties of a Roman citizen, especially a senator, to give himself up to the abstractions of philosophy. See Tacit. Agr. 4.

8. in actu suo, *in their own,* or *proper sphere of action;* in affairs of real life; the reference being especially to the precepts of ethical philosophy. **porticus, gymnasia**; the *porticos* and *gymnasia* of Athens. In these the Greek philosophers taught their disciples. **conventus scholarum,** *the assemblies of the schools,* has reference to schools at Rome. **evolvendi penitus,** *must be completely unrolled; thoroughly perused,* or *studied.* **scientia—humanarumque.** Cic. de Off. 2, 2: *sapientia est rerum divinarum et humanarum, causarumque quibus hae res continentur, scientia.* See also note on x, 1, 35.

9. artem. Philosophy is an "art" in the broad Latin sense of the word. **superbo nomine,** *by reason of their pretentious name.* The philosophers of the Roman times seem generally to have departed from the modesty of Pythagoras and the Greeks,

who adopted the name of "philosopher" to indicate that they were *seekers after wisdom*, not claiming to be σοφοί. See 1, 19. Seneca (de Tranquil. 2, 4) speaks of the "philosophers" of his day as those who are "laboring under the weight of a great title" (*sub ingenti titulo*). **invisam**, *odious, in bad repute.* **rebus repititis**, *having reclaimed, replevined his property;* a legal phrase. **corpus.** The art or science of oratory comprises several parts or members, such as invention, arrangement, etc., making together the "body" of rhetoric. Philosophy should be again incorporated with these.

10–14. *First*, the philosophy of dialectics indispensable to the orator as a preparation for the rational or logical treatment of legal causes.

10. rationalem (*partem*), *the logical part; dialectics, logic;* the science of discourse, or of the logical use of speech. **conligere**, *to syllogize* (συλλογίζεσθαι); *to prove* by logical reasoning. **resolvere**, *to disprove, refute;* "undo" the opposing argument. Comp. v, 13, 12.

11. ea; sc. *parte rationali.* **non—minute.** In legal proceedings (*actionibus*) the technical exactness of the schools in stating a logical argument would be out of place. **docere**, etc., see on x, 1, 78. **tenuis—resultantis.** The discourse of the philosopher, expressed in precise and terse (*tenuis*) language, and carefully noticing every thought necessary to his conclusion, and "removing every stone," is not like the full and broad stream of forensic oratory, but like the current of a slender brook halting and springing up at every pebble. Comp. v, 14, 31, xii, 10, 25.

12. numeros. See on x, 1, 4. **plus agitur**, *more* (after all) *is effected.* **subsit**, *may be ready*, or *in reserve.* **unum, alterum**; sc. *numerum, movement.*

13. comprehensionibus, *in comprehensive statements*, or *sentences.* The *comprehensio* here means either a perfect definition, as *comprehensione verborum* in ii, 15, 1, or any other concise and exhaustive statement of an important idea or fact. The following is an example of such a comprehensive statement quoted by Quintilian in xi, 1, 51, from M. Caelius, who in making his defense before the judges is striving to avert from himself in a few words all suspicion of pride and presumption: *ne cui vestrum, atque etiam omnium, qui ad rem agendam adsunt, meus aut vultus molestior, aut vox immoderatior aliqua, aut denique quod minimum est, iactantior gestus fuisse videatur.* **separandis**; as for instance, by defining a crime, and then pointing out the difference between it and the act in question. Cic. de Invent. 2, 18: *facti ab illa definitione separatio.* **distinguendo**, *in noting distinctions;* that is, distinctions in the senses of the same word or statement. The complete phrase, as used by Cic. (Brut. 41, Orat. 4, et al) is *ambigua distinguere;* the object being to detect fallacies occasioned by ambiguous expressions. So Aul. Gellius, 18, 2: *tertio in loco hoc quaesitum est, in quibus verbis captionum istarum fraus esset et quo pacto distingui resolvique possent. distinguere*, therefore, in this sense, is nearly related to *resolvenda ambiguitate, explaining* or *clearing up ambiguity.* **dividendo**, *in analyzing;* in making a proper division and arrangement. See on x, 1, 49, 106. **inliciendo, implicando**, *in ensnaring, entangling.* **melioribus**, *things* (or *qualities*) *more effective;* better adapted to the forum or court of law. **sectas ad tenuitatem suam**, *reduced to its peculiar minuteness*, or *nicety* (of division). *sectas* is applied here, like *secant* in iv, 5, 25, to the dividing or cutting up of things by the minute and sharp distinctions of logic. *tenuitas* and *subtilitas* do not relate to language as in x, 2, 23, and x, 5, 2, but to thought.

14. cavillatione, *caviling; hair-splitting discussions;* the disputations of the schools conducted after the exact method of dialectics.

15–17. Moral philosophy a study indispensable to the preparation of the advocate for discussing nearly all subjects pertaining either to judicial, or legislative, or popular oratory.

15. sicut superioribus libris; especially in the third and seventh books. **alia, alia**, *some, other things;* facts, conclusions; either pertaining to parts of cases or covering entire cases. **coniectura**, etc. In this section Quintilian has in mind the necessity of applying the doctrines of moral philosophy to the kind of oratory called *judicial*, or, as we now term it, *forensic.* See on x, 1, 47. Therefore he mentions in a general way the variety of *forms* of cases that come before the courts; that is,

the several grounds, states, or issues on which they are argued. These are of such a nature, and leave so much, after all, to be decided by fair or logical inference, or by the wisdom and discretion of the courts, that there is almost no case (*nulla fere*) in which it is not necessary to have recourse to considerations of abstract equity and goodness (*tractatus acqui ac boni*); and, indeed, a multitude (*plerasque*) of cases, turn wholly upon their equity or moral quality (*in sola qualitate consistant*). By *coniectura* is meant *argument from facts;* inference drawn from "putting together" or comparing the facts elicited from the witnesses and the evidence in the case. See iii, 6, 31, 45, vii, 2. **finitionibus concludantur**, *are determined by definitions*; by the proper names or designations of things; the *status finitionis*. For instance, is it sacrilege to steal private property from a temple, or is it merely theft? See iii, 6, 31, vii, 3, 1. **iure summoveantur vel transferantur**, *are dismissed or left pending on legal grounds*. The reference is to what is called the *status translativus* or *legalis;* the ground or question of postponement; an issue of law; when the suit is alleged to have been brought against the wrong party, or by an attorney not authorized to conduct it, or before the wrong tribunal, or at an improper time; under the wrong statute, or in an incorrect form, or involving the wrong penalty. See iii, 6, 52. Cic. de Invent. 2, 19. **alia conligantur, concurrant, ducantur.** Strictly these are three varieties or *species* subordinate to the *status legalis*, just mentioned. *Conligere*, as in x, 1, 84, is to argue or infer by syllogism. For example, the law of Tarentum forbidding the exportation of wool was interpreted to prohibit also the exportation of sheep. See vii, 8. For it is assumed as a major premise, that any act which necessarily carries with it the violation of the letter of a law, must itself be virtually included in that law. *inter se concurrere* is to be in mutual conflict or antagonism, and is said of laws which are inconsistent with each other in their tenor; they are *leges contrariae*. In such a case either no decision can be reached, or else the court for some reason accepts the authority of one of the conflicting laws in preference to the other. See vii, 7. **alia**, in this clause, as the subject of *concurrant*, becomes a metonymy for *aliae leges*. It is laws themselves, not questions or cases that are in

conflict. **in diversum ambiguitate ducantur**; freely translated: *lead to different interpretations through ambiguity of terms*. See vii, 9. **in sola qualitate consistant**, *stand in quality alone, depend on moral character alone;* turn entirely on the question, what was the motive, the cause, what were the justifying or palliating circumstances, not on the question of naked fact; not *an sit*, or *quid sit*, but *quale sit?* See vii, 4.

16. in consiliis, *in (public) councils;* in deliberative assemblies, especially the senate. The deliberative kind of speeches is here referred to, as distinguished from the legal. **honesti questione**; that is, *questione qualitatis*. **tertia**, *third*, not because it is usually reckoned third, but it happens to stand third in the present connection. The reference is to that division or part of oratory which embraces laudatory, historic, and "popular" speeches; not designed for any immediate and practical result; the epideictic or demonstrative kind. See iii, 4, 12, sqq., and n. on x, 1, 47.

17. vocibus—nominibus, known to him not merely by their *sounds and designations;* not only as articulate sounds and names of things. **ita sentiet**, *shall so feel;* shall entertain convictions and sentiments perfectly corresponding to the meaning of these terms. **nec—laborabit**, *while he will not be embarrassed in thought*, or for want of thought. Out of the abundance of the heart he will speak freely and sincerely (*vere*). *nec* introducing the apodosis of the sentence, is correlative to the following *et*. The relation may be expressed by "while not —also," or "at the same time."

18–20. In fact, all oratory that is worthy of the name (*quae oratio est vere*), embraces more or less all the principles both of dialectics and ethics.

18. potentior, *more effective, more comprehensive;* potent in reasoning, or in convincing the understanding; not in the sense of the word in x, 1, 17, where it describes the *impressiveness* or power of delivery. **accedit** (= ἕπεται), *follows, is subordinate*. *et* is omitted; the apodosis begins with *profecto*. **in illo studiorum more**, *in that* (well-known) *method of studies;* that of the Greek philosophers. It is implied, therefore, that the orator who becomes familiar with the method of this philosophy, in which general questions are handled as the chief

thing (*maxime versatas*), will transfer from this study to his law questions the habit of referring particular cases to universal principles. Comp. x, 5, 12, 13. The meaning, fully expressed, seems to be this: As every general question is more comprehensive than a special one, and the part is necessarily comprised in the whole, and is carried by the whole, the orator can have no real power, breadth, and freedom in speech without the habit of discussing all questions on general grounds; and no one can doubt that he will best acquire this habit in the discussions of philosophy; for these are conducted chiefly by the method of referring the special to the general, or of demonstrating general propositions and applying them to particular facts.

19. propriis brevibusque comprehensionibus, *by apt and brief sentences.* **status finitivus.** See on § 15. **id**; the practice, namely, of defining. **instrui**; sc. *oratorem.* **in hoc,** *to (unto) this;* that is, this study of dialectic philosophy. **quaestio iuris**; any question under the head of *status legalis.* See on § 15. **voluntatis coniectura,** *in the proof of intention;* the true spirit and purpose of any law or of any written document as inferred by evidence. **rationalem, moralem tractatum,** *logical, ethical disputation.*

20–23. Natural philosophy, too, as well as the other branches, is indispensable to the orator on account of its power to exalt the tone and spirit of his eloquence, furnishing him with rich material for reflection in the phenomena of Nature; and so its study is countenanced by the example of Pericles, Demosthenes, and Cicero.

20. pars naturalis, *natural philosophy, "scientia rerum divinarum";* the philosophy of the things of God and Nature, as distinguished from the things pertaining directly to man; especially the laws of his mental operations, and of conscience and conduct; though it is presently shown by the author that human conduct also is embraced in natural philosophy, or in that part of it which treats of the divine being in his relations to man. See also on § 8 and x, 1, 35. **ut docuimus.** See § 15.

21. divina origo; this being in the view of Quintilian a doctrine of *natural* philosophy. **vir civilis**; *a statesman;* as well as an advocate. **saltem** = *quidem.*

22. liberrimum, *audacious* in speech; indulging in the

most unbridled satire of public men, yet extolling the eloquence of Pericles. Comp. x, 1, 65, xii, 10, 24. **Anaxagorae physici.** Anaxagoras of Clazomene (born B. C. 499) taught at Athens in the age of Pericles, and gave a new direction to the philosophy of Nature, especially in recognizing a divine intelligence (νοῦς) fashioning the world out of self-existent matter, and giving to it motion and order. He was banished on the charge of atheism B. C. 432, and died at Lampsacus B. C. 430. **Demosthenem Platoni.** Comp. xii, 10, 24.

23. M. Tullius testatur; as in Orat. 3; Brut. 91, 315. **ipse,** *himself* personally. In regard to Pericles and Demosthenes we have the fact not on their own authority, but on that of history. **consaepto,** *by the narrow confines.*

23–28. It will be best for the orator not to bind himself to any one school of philosophy, but to choose what is noblest in each.

ex hoc, *out of this matter; this* (foregoing) *discussion.* **quamquam—contentio.** As several schools or sects of philosophers can at once be eliminated from the discussion, not many remain as rivals to claim our preference. **secta** here includes more than the four well-known schools: Academic, Peripatetic, Stoic, and Epicurean.

24. Epicurus, etc. ii, 17, 15: *qui disciplinas omnis fugit.* Also Cicero, de Fin. 1, 7: *vellem equidem aut ipse* (Epicurus) *doctrinis fuisset instructior, . . . aut ne deterruisset alios a studiis.* **Aristippus**; a disciple of Socrates, founded his school of philosophy at Cyrene. **Pyrrhon.** Pyrrho of Elis, father of the skeptical school, living in the time of Aristotle. **cui—non liquebit**; *to whom* (should he take up the office of an orator) *it will not be clear that the judges before whom he speaks have any existence,* etc.; for he doubts the being of anything.

Lucian Sale of Lives.

25. mos—disserendi. See on xii, 1, 35. **praestantissimos in eloquentia.** Plato and Carneades are examples. Gessner also adds Cicero. **studio—iactant,** *pride themselves on a certain degree of attention to oratory.* See iii, 1, 14, 15. **thesis.** Cic., Orat. 14: *in hac Aristoteles adulescentes . . . exercuit.* See on x, 5, 11. **Stoici.** Comp. x, 1, 84.

26. inter ipsos, *among* philosophers *themselves.* **sacramento rogati,** and, below, **in leges iurare,** terms relating to

the military oath, are applied here to the allegiance of the disciples of philosophy to their various masters or schools. **superstitione**; an influence more irrational and even more binding than the *sacramentum*.

27. si—perfectus. While the orator must equal the moral philosopher in life and conduct, he must also be perfect in eloquence. His work or office, therefore, is greater **facundissimum—ad imitandum.** Comp. x, 2, 26. **moribus vero formandis**; in contrast with *in exemplum dicendi*, and limiting the whole clause *praecepta—deliget;* "but for the shaping of his morals he will choose the very highest teachings of philosophy, and the pathway that leads most unerringly to virtue," no matter in what school he finds them. **exercitatione omni,** *all discipline; every means of improvement*, or *self-culture.* He will exercise himself in every line of study.

28. quae (*sint*) **bona, quid mitiget,** etc.; questions defining the foregoing **haec**: *these* topics or inquiries, namely: *What are true blessings, What allays fears*, etc. **animum.** The governing verb has been lost. Spalding proposes *deceat*, Buttmann *levet.*

29–31. Besides the precepts of philosophy, the examples of splendid conduct in word and deed (*dicta ac facta praeclare*) recorded of great men, especially those of our own land, can be studied with advantage.

31. tantum quod, *only that; but;* the reading of Zumpt followed by Halm. Whatever reading of this very doubtful passage we may adopt, the interpretation can not be entirely satisfactory. Perhaps the intention is to recall the contrast indicated in § 29, between *nosse* and *animo semper agitare;* analogous to the antithesis in § 17 of *knowing* moral truths as opposed to *feeling* them. The sense of the passage may be thus given: But that orator who believes it not enough merely to have in mind the immediate time and the present day, but regards the whole history of future ages (*omnem posteritatis memoriam*) as the real period of an honorable life and as the true career of glory, can not rest contented (*non adquieverit*) with the mere knowledge of facts (*cognitis rebus*); but he will apply these facts, especially those of biography, as examples for his own conduct; that is, he will realize their significance and exemplify

them in his own person. **hinc, hinc,** *from this source, even from this;* that is, *ex his quae sunt tradita antiquitus dicta ac facta praeclare.* **libertatem** refers to the freedom of thought and speech which was especially characteristic of the fathers of the Roman republic. **in causis atque consiliis,** *in the courts and in the senate.* See on § 16. **honeste,** *as an honorable citizen.* From the example of such men he *will know* what sentiments befit a freeman, and he will become so imbued with their spirit that he *will dare* to utter them freely and fearlessly.

CHAPTER III.

THE ORATOR SHOULD MAKE A STUDY OF THE CIVIL LAW.

1–6. The disadvantage to the orator of ignorance of the law.

1. iuris civilis. Civil law, in the Roman usage of the term, was either the whole body of law peculiar to the Roman state or *civitas* as distinguished from the law common to all nations, and called the *ius gentium;* or, in a narrower sense, it was the body of Roman law pertaining to secular affairs, *res iuris humani*, as opposed to those of the state religion, or *res iuris divini.* It was also further subdivided so that *lex*, or written law, was distinguished from *mos* or traditional usage in law. There were also various other methods of division, but Quintilian here seems to have in mind that of *lex, mos*, and *fas;* written law, prescriptive law, and ritual law. All of them, of course, pertained to judicial affairs, and were equally important to the orator. **morum ac religionum,** *usages and religious sanctions.* **quam capesset.** *rem publicam capessere* is to engage in ("lay hold of") the affairs of the state. **ignarus.** It might seem strange that one who is preparing himself to plead as an orator or advocate before the courts, should be warned against ignorance of the law; but we must remember that there was with the Romans no trained profession of lawyers and barristers holding the exclusive right to "practice" in the courts for fees; and that the office of the advocate was discharged voluntarily by any citizen, whether acquainted with the law or

not, who might from a sense of duty or from ambitious motives take upon himself such a responsibility. **ab altero,** *from another*, or *some second person;* that is, from a *jurist* or *counselor;* some citizen known to be versed in the law. There were in all periods private citizens distinguished for this knowledge, though not professional or paid lawyers, in our sense; and their recorded opinions came in time to have the force of laws. **qui pronuntiant.** The reference is probably to actors who recite the words of dramatic writers.

2. mandata perferet, *he will be bearing messages*, as it were from his counselor or instructor to the court. **ut**; concessive. **praecepta, composita,** *taught, arranged. praecepta* refers to the *instructions* on the case received from the legal adviser at home. See on *altero* above. **in discendo.** The *learning* or *study* of cases is treated of below, in Chap. VIII. **quae subito-solent.** Comp. x, 7, 3. **minores advocatos,** *assistant attorneys;* colleagues, perhaps, associated with the speaker (*patronus*, or *maior advocatus*) for the purpose of making suggestions in case of need. Comp. vi, 4, 6, 7.

3. altercatione. See on x, 1, 35.

4. velut ad arculas. Buttmann thinks the comparison is not drawn from any custom of serving weapons or ammunition from arm-chests in battle, but from such a practice in the palaestrae or other places of athletic exercises. **pragmaticorum,** *legal experts, attorneys.* In iii, 6, 59, the word is rendered in Latin by *iuris interpretes.* **clamorem suum,** *his loud voice;* his declamatory speech timed by the *clepsydra* or water-glass. Cic. de Orat. 3, 34: *hunc non clamator aliquis ad clepsydram latrare docuerat.*

5. si ad horam—constiterit. The praetor appointed an hour for the parties to appear (*consistere*) and give reasons why a suit should or should not be instituted. Quintilian would have the advocate competent, if present on such an occasion, to make himself useful by his knowledge of law. **in testationibus faciendis,** *in preparing testimony;* getting ready the evidence from documents and witnesses. **imperatorem**; appositive after (*aliquem*) *strenuum, fortem*, etc., the immediate object of *credit. Credo* takes the same construction of two accusatives, as in 1, 36: *quos gravissimos magistros aetas vetus credidit.*

prius est enim. Such a proposition would be absurd; *for* the planning and preparation of campaigns must precede the active operations of war, and they demand larger capacity and knowledge than the actual movements of the battle-field. A good "fighting general" may manage these latter successfully, but he is not necessarily on that account fit to be an *imperator.*

6–10. The attainment of this knowledge is not difficult.

6. certum, *established, determined;* as opposed to *dubium.* **scripto.** The *written law*, as understood by the Romans, embraces all the enactments of the people and of the senate, and the edicts of praetors, constitutions of emperors, and the recorded opinions of jurists. This is *lex*, or civil law in its narrower meaning as opposed to *mos* or *mores.* See on § 1.

7. quae consultorum, etc. The *dubia*, or questions that can be adjudicated by no law or prescription, nor by any analogy to them, are questions of equity to be settled by the opinion of jurists (*consultorum*). **prudentium,** *men of good sense.* **optimo cuique,** *all good men*, whether orators or *iudices.* Questions purely of definition of terms, or of equity, can therefore be decided without the aid of a jurist.

8. ab eo dissentiet. On questions of equity, as they do not come under definite laws, the jurists or lawyers themselves (*ipsi illi*) will hold different opinions, and the advocate, therefore, must not be surprised, if the jurist (*consultus*) to whom he may apply for counsel in an equity case, shall not agree with him in regard to the treatment of it. **quid quisque senserit,** *what have been the opinions of all* former jurists; that is, their recorded opinions on certain questions.

9. ad discendum ius declinaverunt, *have turned aside to the study of law;* have given up the bar and become learned in the law, or *iurisconsulti.* Cicero, pro Murena, 13: *itaque mihi videntur plerique initio multo hoc (opus agendi) maluisse; post, cum id adsequi non potuissent, istuc (ad discendum ius) sunt delapsi. Ut aiunt in Graecis artificibus, eos auloedos esse, qui citharoedi fieri non potuerint, sic nonnullos videmus, qui oratores evadere non potuerunt, eos ad iuris studium devenire.* **Marcus Cato.** Cato the elder, was most distinguished as an

orator, yet a good lawyer also. **Scaevolae Servioque Sulpicio.** Q. Mucius Scaevola and Servius Sulpicius were eminent jurists and at the same time able speakers.

10. componere aliqua. Aulus Gellius, 1, 22. mentions a book composed by Cicero entitled *de iure civili in artem redigendo.* Perhaps by *coeperat* Quintilian means that the one book was only the beginning of the intended treatise on civil law.

11, 12. Many will shrink from the severe discipline which I thus prescribe for the orator, and pretending to despise eloquence, will either content themselves as mere lawyers (*leguleii*) with the exclusive study of technical points and forms of law, or else set themselves up as philosophers.

11. reprehendenda, quod, *must be repudiated on the ground that.* **haec deverticula desidiae,** *these resorts* (or *subterfuges*) *of indolence;* censurable only when they are thus taken up with a wrong motive and at the expense of oratory, that nobler work to which they should be subsidiary. **album ac rubricas,** *edicts and titles.* The praetorian edicts, forming a large part of the body of civil law, were inscribed on white or waxen tablets; their headings or titles were written with red ink. **leguleii.** Cic. de Orat. 1, 55: *ita, est tibi iurisconsultus ipse per se nihil nisi leguleius quidam cautus et acutus, praeco actionum, cantor formularum,* etc. **quorum solam facilitatem sequabantur.** Such indolent spirits were attracted merely by the *easiness* of these technical studies, while hypocritically pretending that they were more profitable and more worthy to be pursued.

12. pigritiae arrogantioris, *of more pretentious indolence;* slothful, like the above-mentioned class, but more assuming; that is, taking to themselves the high title of philosophers. **subito;** making a sudden change of plan, after pursuing for a certain time the study of eloquence, and finding that, for idle habits, it was too difficult of attainment. **fronte conficta,** *assuming a studied countenance;* putting on the meditative look of the philosopher. The expression is kindred to that of Seneca, de Tranquillitate, 15, 4: *frontem suam fingere;* where, however, it is the affectation of grief that is spoken of. **paulum aliquid;** sc. *temporis.* **tristes, dissoluti,** *austere, licentious.* So Juveual, 2, 8, characterizes the same class of pretended philosophers or hypocritical moralists: *quis enim non vicus abundat tristibus obscenis?* **contemptu.** By the show of indifference to the world they seek to gain its reverence.

CHAPTER IV.

THE ORATOR MUST BE ACQUAINTED WITH HISTORY, WITH CONTEMPORARY EVENTS, AND WITH FICTION.

1, 2. The knowledge of history and fiction, as well as the observation of the events of the day, will enable the advocate to illustrate and enliven his arguments, and even though young in years, to anticipate the experience and wisdom of age.

1. exemplorum. Com. x, 1, 34. **ea, quae conscripta sunt,** etc., *those* (*examples*) *which have been recorded by history,* or *which have been transmitted by oral tradition as if from hand to hand.* Two of the MSS. read *in historiis,* but the construction intended was probably the ablative of means both in *historiis* and *sermonibus;* and none of the editions have adopted the reading of the MSS. referred to.

2. tuta. The fictions of the poets are not authentic, indeed, but yet *safe* to be used as examples, because so long received with veneration as having the significance of real histories, or else believed to have been invented by wise men for the purpose of teaching truth and morals. **ultima aetas,** *the end of life; old age.* **cum;** causal. **ut videamur.** For the construction, comp. x, 3, 29, and below, 9, 6.

CHAPTER V.

OTHER QUALITIES HELPFUL TO THE ORATOR.

1-4. Of the moral helps previously mentioned, fortitude or undaunted self-reliance is the most important.

1. haec sunt instrumenta, *such are the helps.* The matters treated of in the preceding chapters of the Twelfth Book do not form a part of rhetorical science (*artis*), properly speaking, but pertain to the personal character and attainments of the orator himself. **promiseram.** See prooemium to Book XII, § 4, and prooemium to Book I, § 22. **accedente verborum—gratia.** It is these things, not the foregoing *instrumenta*, that are embraced in the *art*, or science of rhetoric, strictly so called. **animi praestantia.** Fortitude has been spoken of above in Chap. I, especially §§ 23, 28, and in Chap. II, §§ 3, 17.

2. aliter accipi, *to be misunderstood.* **situ quodam consumerentur.** Comp. x, 3, 12.

4. non concidamus. For *non* with the subjunctive of prohibition, see x, 3, 5. **operis,** *study.* **frons,** *presence, countenance.*

5, 6. To these helps are accessory also certain physical traits: excellence of voice, strength of lungs, and a good presence.

5. ut supra dixi. Prooem. to Book I, § 27. **Trachalus.** See x, 1, 119. **ut Cicero.** De Orat. 1, 28.

6. cum in basilica, etc. See on x, 3, 30. **primo.** The four sections of the *centumviri* were assembled on the occasion referred to as four separate courts, but on what ground one was called the *first*, is uncertain. **tribunali;** ablative of situation. **votum, felicitas;** metonymy for *voto, felicitate attinendum.* **sufficiat—audiri.** One who has not such gifts must be content with the mere attention of his hearers, and not hope for their admiration.

CHAPTER VI.

THE PROPER AGE TO BEGIN PUBLIC SPEAKING.

1-7. The public career of the advocate should not commence too early nor be deferred too long; for in the former case he would be likely to lose the modesty of youth, and to prejudice his reputation by a crude (*acerbum*) and immature style of speech, while contracting also a contempt for study (*operis*); and in the latter, he might become too much fixed in his habits of seclusion to stand up with confidence and freedom before a public audience. Every one should begin at the time most fitting for himself individually, and so attain a gradual, natural, and healthful growth in his profession.

1. Demosthenem. At eighteen he argued his cause against his guardians. **actiones pupillares habuisse,** *made pleas as a ward.* **Calvus, Caesar, Pollio.** The fact is mentioned in the "Dialogue on Orators," 34, where Caesar at the age of twenty-one is said to have arraigned Dolabella, Pollio at twenty-two Gaius Cato, and Calvus, when a little older, Vatinius; and all in speeches, the author continues, *quas hodieque cum admiratione legimus.* **quaestoriam aetatem.** The minimum of age for the candidate when voted for seems to have been thirty in the republican times and twenty-five under the emperors. Cicero served when thirty-one, Agricola when twenty-six. See Cic. Brutus, 92, 318, where it is stated that Cicero was quaestor in the year of the consulship of Cotta (B. C. 75), and Tacit. Agr. 6, where Tacitus says that Agricola was quaestor under Salvius Titianus proconsul of Asia (A. D. 63). **pro rostris;** not *in front of*, but *on the rostra.* *pro* is often thus used of a position on the front part of an elevated place; as Tacit. Hist. 1, 29: *pro gradibus;* and id. 36: *pro vallo.*

2. destringatur frons. *destringere frondem* is literally *to strip* or *pluck off the leafage* of trees. So Columella, 11, 2, 83: *olivam manu destringere. stringere* is used by Vergil in the same sense in Ecl. 9, 61: *agricolae stringunt frondes.* **et** continues the negative force of *neque* and may be rendered "while." **contemptus operis,** *contempt of study;* as being something for drudges and not for genius. So in ii, 4, 16: *hinc . . . contemptus operis et inverecunda frons . . . et adrogans de se persuasio.*

3. nec rursus—senectutem answers to *neque praepropere*, etc. Neither must the young orator be brought forward prematurely, nor again must he be kept too long in the period of *tirocinium*. **audere.** Youthful ambition in speech is illustrated in the example quoted below from Cicero.

4. pro Sexto Roscio locus. The "passage" is from the speech for Roscius Amerinus, who was charged with parricide. It is quoted more at length in Orat. 30, 107, where Cicero remarks that his maturer judgment disapproved of it as too florid. **cum**; concessive. **defervisse et liquata,** *to have worked off (ceased fermenting), and to have become clear;* a metaphor from the fermentation and settling of wine. The subject of the infinitives, grammatically *ea*, is rather *talia*. The actual words of Cicero are more definite: *quae nequaquam satis defervuisse post aliquanto sentire coepimus.*

5. omnia—desiderant; as in the case of Porcius Latro, x, 5, 18. **actionem aqua deficit,** *the water fails*, or *cuts off the speech.* The reference is to the clepsydra, or water-clock, a small instrument which *timed* the speaker by the gradual running out of the drops of water, like the sand in an hour-glass. A certain number of clepsydrae was allowed the speaker in trials, whether in the senate or in the courts. Plin. Ep. ii, 11, 14: *duodecim clepsydris, quas spatiosissimas acceperam, sunt additae quatuor.* **loquendum.** On some occasions we must give up all rhetorical speaking, and simply *talk;* and this, the kind of *diserti* we are here speaking of, the formal declaimers of the school-room are entirely ignorant of (*minime sciunt*).

6. viribus nitentem. Spalding quotes viii, 3, 6: *sanguine et viribus niteat*, as showing that the participle here must be taken from *niteo* rather than *nitor;* though Buttmann prefers the latter. **et non utique—operam**; and even after this maiden effort, I would by no means wish him to keep on continuously with the work of pleading, like an old practitioner. **continuare,** *to continue without interruption.* **ingenio**; dative after *inducere.* **adhuc alendo,** *still to be nurtured;* not yet having attained its full growth. **refici atque renovari.** Comp. x, 5, 14, sqq.

7. usus est M. Tullius, etc. Cicero gives an account of this passage of his early life in the Brutus, 91, 314–316.

CHAPTER VII.

PRINCIPLES TO GUIDE THE ADVOCATE IN UNDERTAKING CAUSES.

1-7. There are sometimes cases which require the orator to take upon himself the part of accuser or prosecutor, though in general it is more honorable to appear on the side of the defense; and as it is impossible for one advocate alone to speak for all defendants, we must choose from those who solicit our aid such litigants as are commended to us either by respectable friends or by their own personal merits; making, however, no discrimination between the weak and the powerful from improper motives; but even after taking up a case, it should be abandoned if found on investigation (*inter discendum*) to be unjust; and to do this, indeed, is for the best interest of the client himself, who is not worthy of an advocate (*patroni*) if he does not follow his counsel.

1. facere (*reos*), *to prosecute, arraign.* **horrebit**; with accusative, as *perhorresco*, in 11, 9. **ad reddendam rationem vitae,** *to give an account of his conduct.* Often there are circumstances under which it is incumbent on the Roman orator, either as a duty to the state or to individual citizens (*publicum, privatum officium*) to call to account, or prosecute before the public tribunals men charged with crime against the republic or against persons.

2. sociorum. The complaints of allies or provincials against oppressive governors were brought before the senate and the courts at Rome by Roman orators; as, for instance, those of the Macedonians against Dolabella by Caesar, and those of the Sicilians against Verres by Cicero; and, in the time of Quintilian, the charges of the province of Baetica against Baebius Massa by Pliny the Younger and Herennius Senecio. See on § 3.

3. accusatoriam vitam vivere. Nothing was more odious in the estimation of the Romans than to make a business of prosecution; a practice which became very common under the more despotic emperors. Tacitus, the younger Pliny, and Juvenal have handed down the names of Regulus, Catullus Messalinus, Carus Metius, and the above-mentioned Massa Baebius, as the most infamous accusers or *delatores* under Nero and Domitian. See Tacit. Agr. 45, Plin. Ep. 1, 5, 4, 22, 7, 33, Juv. 1, 35, 36, 4, 113–122. **pestem intestinam**; such, for example,

as Catiline. **cum propugnatoribus**; for *cum factis propugnatorum;* referring to the deeds of military defenders, as contrasted with the protection afforded by the eloquence of civilians. **obsidem—accusationem,** *to present as a pledge* (of loyalty to the state) *the prosecution of bad citizens.*

4. Lucullis. The reference is to the brothers Lucius and Marcus Lucullus, who were associated in the prosecution of Publius Servilius the Augur about B. C. 85. See Plutarch's life of Lucullus. **alter appellatus, alter creditur.** The elder Cato has the traditional appellation of "the wise"; the younger even without the title must be deemed wise, if any one can be. Seneca holds him up as a typical example of the "sapiens" of the Stoics. See Seneca de Providentia, 3, 7, seqq. **ducetur causa.** The orator will determine the question of taking up a case chiefly by the case itself; that is, by its own merits.

5. commendantium personis, *the personal character of those who commend* clients to the good offices of the advocate. **ipsorum—decernent**; the character *of those who are to contend in the suit;* the litigants themselves, as contrasted with their friends the *commendantes.*

6. etiam iactantius. In assuming to be the champion of common people the ambitious orator may be *even more self-seeking* than in being forward to defend the powerful. **minores, dignitatem.** In the antithesis marked by *vel—vel, minores* (*persons of the lower class*) and *dignitatem* (*rank, high station*) correspond respectively to the foregoing *humiles* and *potentibus.*

7. si aequi iudices sumus; that is, if I am a fair judge of what is best. **ut non fallamus** explains *hoc* in the form of a result. Not to mislead the client, nor to allow him to go forward in a wrong and probably disastrous suit, is the best service the advocate can render him. **causis**; the grounds or reasons for sometimes maintaining untruth as given above in 1, 36, sqq.

8-12. As to the question of pay for legal service, only when the advocate is without the adequate means of living should he accept any compensation. But in such circumstances it is honorable to receive a consideration, just as it was proper for Socrates, Zeno, and other philosophers to receive contributions from their disciples; but to bargain for payment and to contract for a part of the expected proceeds of lawsuits, is a kind of piracy. And a consideration bestowed is, after all, not so much a payment, but an acknowledgment of a favor received which is greater than any reward in money.

8. gratis. Though the services of advocates were voluntary, and there was no such custom of retaining lawyers for fees as with us, gifts were often received from clients after service rendered. The Cincian law, a *plebiscitum,* enacted B. C. 204, prohibited the pleader of a case from receiving any compensation. It was re-enacted in later times; and this fact indicates, what might readily be guessed, that the law was easily evaded. It was modified in the time of Claudius so that a compensation of not more than ten sestertia ($400) might be received. See Smith's Dict. Antiq. Art. Cincian law. **ex prima statim fronte**; *ad primum quaestionis aspectum.* **elevare,** *to lighten, lessen.*

9. caecis, ut aiunt, clarum est. The proverb is used by King Philip in Liv. 32, 34: *apparet id quidem etiam caeco.* **Socrati—ad victum.** To receive a contribution for his necessities was not at all inconsistent with his condemnation of the sophists for making fortunes out of their fees, and living sumptuously on the income thus acquired, as indicated in the "Memorabilia" of Xenophon, 1, 6.

11. quousque, *to what extent;* implying that an honorable advocate will not allow himself to go so far as to be avaricious and exacting. **paciscendi** probably refers to the practice of contracting with parties to conduct a suit at the risk of the advocate, who, in case of success, is to receive a certain proportion of the award. **imponentium periculis pretia**; *putting prices upon their risks.* The contract (*negotiatio*) extorts from the client beforehand the promise of an excessive part of the claim involved in the suit, on the ground that the advocate runs the risk of failure, and so, of losing his labor. **malo—peccet.** I prefer, however, that the client should be guilty of ingratitude, rather than that the advocate should sin against honor by making his office a matter of bargain and sale.

12. tanto plus praestitisse; sc. *quam litigator.* **non perire oportet,** *it should not be lost;* should not go unrequited.

CHAPTER VIII.

HOW CAUSES SHOULD BE INVESTIGATED BEFORE THE PLEADING.

1–8. The facts of a case some advocates neglect to study altogether, and so, not giving any attention to the important point or issue (*cardo*), only seek matter for noisy declamation (*clamandi*); others from vanity affect to be so overwhelmed with engagements (*occupati*), that they postpone all consultation with the client until a few hours before the trial, or even to the hour of the opening in the court-room itself (*inter ipsa subsellia*); and still others, for the display of their wonderful talent (*iactantia ingenii*) presume to argue a case on the bare statement of it. Sometimes, too, the fastidious orator leaves the preparation of his cases to the client himself or to some attorney (*advocatus*), and thus is liable to be surprised and tripped up by unexpected arguments presented by the other side. As opposed to all this the advocate should himself in person ascertain all the facts of his case, and especially get everything possible from the client.

1. discendae. *Discere causam* denotes the studying of the facts and principles pertaining to a case in court. **orationis**; here, *a speech, argument*, or *plea* in litigation.

2. ex personis, *from*, or *in persons;* especially the parties in the suit. In these and in trite common places can be found the material for cheap declamation. **communi tractatu locorum**; by enallage for *tractatu communium locorum.* **clamandi,** *bawling* or *shouting* in their speeches. So in ix, 2, 95: *clamante multum advocato.* **et ambitio,** *vanity also;* besides the negligence just alluded to. **qui partim—partim**; equivalent to *quorum pars—pars.* **qui—reducuntur.** The frame of the sentence, as it stands, is: *qui partim iubent, gloriantur, partim reducuntur.* But probably the construction really intended was: *qui* (*partim habentes, iubentes, gloriantes*, or *dum iubent et gloriantur, partim mentiti*) *cum decantaverunt, reducuntur;* the last two verbs being predicated of both classes of vain pretenders distinguished by *partim—partim.* **inter ipsa subsellia,** *even amid the benches, even in the court-room;* just before the opening of the trial.

3. prius paene quam audiant. This class does not go through the ceremony even of giving a few minutes to *learning* the facts, like the advocates just mentioned, but, like the conceited declaimers in x, 7, 21, presume to make their speeches at once on the bare statement of the case. **mentiti,** *falsely pretending.* **multa et diserte,** with **cum decantaverunt,** *when they have sung through their many strains and* (these) *in grandiloquent style.* **clamoribus,** *shouts of applause.* **reducuntur**; the regular word denoting "to escort home." As Cic. de Senect. 63.

4. delicias. Here, as in x, 3, 18, the self-indulgence of employing assistants or agents for doing the unpleasant drudgery connected with the preparing of speeches is called a luxury. **doceri** = *discere causam.* **doceant**; sc. *ipsum patronum vel oratorem.* **media litium manus,** *intermediate manager of suits.* **cum dicturis—sint,** *whereas* (forsooth), *to the speakers* (*dicturis*) themselves *their own pleadings are not of so much importance;* namely, as to induce them to give personal attention to the study of the case. How can a second person be expected to bestow his labor upon cases which are not his own (*in alienas actiones*), if the advocate who has charge of them and is responsible for them is himself too fastidious to do this work?

5. libellis, *briefs;* documents containing the essential points. **advocatorum,** *attorneys;* in the sense of helpers of the barrister, or orator. **deinde,** *then, nevertheless;* as in x, 1, 127, where the particle introduces something absurdly inconsistent with the fact or action preceding. **declinandum,** *to be evaded.*

6. consilium, colores—custodiunt. These attorneys, not content to state the naked facts (*omnia uti gesta sunt*), introduce into their briefs some line of argument (*consilium*) of their own, and their own interpretation or coloring of the facts; and these ideas and interpretations of mere attorneys most orators adopt as their own, following them as scrupulously in making their speeches in court, as boy declaimers in the schools stick to the themes (*themata*) shaped out for them in form and phrase by their instructors. **aliqua peiora.** In their infelicitous attempts to *cover up, evade, modify*, these assistant attorneys introduce things more hurtful to the case than the plain facts themselves (*veris*) which they deem disadvantageous to it.

7. iis quorum—erit; that is, to the clients. **liberum**

tempus ac locum, *unlimited time and a place safe from intrusion.* **unde—tempore**, *taking time again from (at) any point they please;* no matter how much repetition they shall be disposed to indulge in.

8. vulnus, *a wound*, or weak point in the case. **acturo**; *the orator.* **audita**; sc. *ex litigatore.*

8–11. Still further, the client must be made to go over his case repeatedly; and after hearing everything he has to say, or can be made to say, his counsel must put himself into the position of an opposing advocate, and cross-question him sharply, and thus elicit everything that is likely to be forced from him in court by the cross examination to which he will be subjected by the other side.

prima expositione, *in his first statement.* **hominem**; in apposition with *eum*, the object of *effugere.*

9. evocandus, *to be called out;* as it were, from his concealment.

10. in audiendo; that is, on his own side, from his own proper position as counsel of the client. **ei**; the advocate. **agendus adversarius**, *he must act the part of the opposing advocate.* **quidquid—natura**, *whatever nature admits*, or *whatever is naturally anticipated in such a controversy.*

11–15. The best advocates are those who are distrustful of the client's favorable representation of his own case. All the written instruments he offers must be carefully examined; otherwise, when too late, they may be found invalid. What has been taught about *loci*, or grounds of argument, especially those relating to persons, times, places, usages (*instituta*), documents (*instrumenta*), must be applied. Finally, the advocate, having now examined his client from his own side, and also from that of the opposite party, must now assume a third character (*tertiam personam*), that of the judge or juryman, and ply his client with all questions natural to this last point of view.

11. testem populum, *the whole people on his side.* **paratissimas consignationes**, *sealed documents in perfect order;* papers, or *tabellae* with the names and seals of the proper number of witnesses.

12. instrumentum, here, a legal *instrument* or *document.*

13. linum ruptum, ceram turbatam. The tablets, or pages of wood with wax-covered surface forming the document, are folded up, and then bound with a linen thread wound thrice round the tablets and passing through holes made in the middle

of the upper margin, and the thread is then secured with wax, which is impressed with the seal of the writer. If the thread or wax is broken, the instrument is worthless. **sine agnitore signa**, *seals* (or *signatures*) *without true signers;* literally, *without an acknowledger;* counterfeit signatures, which the supposed signers, on being summoned, pronounce to be false. The word *agnitor* is not found elsewhere, but is received here by the best authorities. **destituta**, *invalidated, failing;* left without authority. This sense of the word is so anomalous that *destituto* (*advocato*) has been proposed instead. **quos tradidimus locos.** *Loci*, grounds or sources of arguments (*sedes argumentorum*) have been treated in v, 10, 20, sqq.

14. in agendo, *in* (actual) *speaking* or *pleading;* emphatic, as opposed to the following *in discendo.* **quas diximus causas.** v, 10, 123: *infinitam enim faciat ista res dicendi tarditatem, si semper necesse sit ut temptantes unum quodque eorum, quod sit aptum atque cŏnveniens, experiendo noscamus.* **quae personae**, etc.; sc. *sint in causa.* **artificiale probationis genus**, *the scientific* (or *logical*) *kind of proof;* that which is reached by *comparing, combining, inferring* (*colligi*), as distinguished from the inartificial, or such as is taken *directly* from persons and things; as, from witnesses, from previous decisions, from slaves under torture, from report or rumor, and from written documents. **pars prima**; that is, *invidia.*

CHAPTER IX.

CERTAIN THINGS TO BE OBSERVED IN PLEADING.

1–7. The desire of present applause must not divert the attention of the advocate from the vital interests of his case; but he must often be content to toil through difficult, intricate, prosy, and unattractive arguments, looking for the approbation that comes afterwards, when victory shall have been won; art should not be visible; the hearer should be made to think of the cause and its merits rather than of the orator; nor should we be fastidious about accepting cases of minor importance.

1. arte, *science.* What has been said on this subject in the whole treatise (*toto opere*) relates rather to the science of oratory,

than to the tact and judgment of the orator in the delivery of his speech.

2. praecisis; for the more usual *praeruptus* or *abscissus*. **operum mole difficiles**, *difficult* (of approach) *on account of the strength of their fortifications*. **laetius decurrendi**, *of flowing in a more pleasing style*. This is the reading preferred by the best authorities; though *latius decurrendi*, found in some MSS. and editions, *moving* or *careering with more freedom*, is in better keeping with the military images used in this passage. **congressa**; sc. *adversario*. **populariter**, *for the delight of the multitude; for popular applause*.

3. eruendae veritatis latebras, *the hiding-places of truth that must be brought to light*. **vibrantibus—sententiis**. See on x, 1, 50. **operibus et cuniculis**, *siege works and mines*; battering-rams, and siege-towers, are included in *opera*.

4. opinionis, *reputation*; as in x, 5, 18, and below, § 7; join with *cupidissimus*. **inter plausores suos**. The reference is to those engaged beforehand to applaud. See on x, 1, 17. **dissimulant**, *deny; fail to show*. **doctis creditur**, *due credit is awarded to the truly eloquent*; to the well taught, or accomplished orators.

5. M. Antonius praecipit. Cic. de Orat. 2, 1: *Antonius autem probabiliorem hoc populo orationem fore censebat suam, si omnino didicisse numquam putaretur*.

6. necesse est; that is, in such a case.

7. illo fastidio, *that* (common) *fastidiousness*, or *pride*. **opinioni**. See on § 4. **minus liberalis materia**, *a subject* (or *cause*) *of less dignity*, or *a case of little significance*.

8–13. To indulge in sarcasm or invective is unworthy of an advocate of high aims, and if petulant and abusive, he must expect to be attacked in turn with the same weapons, while he also does harm to the cause of his clients; and yet even these evil consequences are not so unfortunate for this kind of orator as the possession of that bad spirit (*vitium animi*) which makes him capable of such ebullitions. It is better, like Pericles, to pray to be restrained by the gods from uttering any word that may arouse unfriendly feeling in those who have power to prejudice (*nocere*) our cause.

8. ad dicendum tenuiora, *lacking material for eloquence*; "somewhat too thin"; referring to the *causas minores* just mentioned. **conviciis**, *invectives*; personal reproach or abuse.

materia ingenii, *matter for wit*. **mereatur**, sc. *ea*, or *illa materia*. *mereri* in the sense of *win*, as in iv, 2, 39, and in the active form, x, 1, 72, xii, 11, 3. **clamorem**; as in 8, 3. **ne vera quidem obiecturum**, *will not utter even just reproaches*.

9. canina, ut ait Appius, eloquentia. This saying of Appius (probably Appius Caecus) is also found in a fragment of Sallust quoted by the grammarian Nonius under the term *rabula*: "*Canina, ut ait Appius, facundia exercebatur*." **cognituram male dicendi subire**, *to incur the charge of slandering*. *cognitura* is found only here and in Suetonius, Vitell. 2; and the reading even in the present passage is disputed. The word denotes the business of those who were appointed by the government to find evidence against debtors to the public treasury; and so is understood here in the sense of "charge" or "information against." **quod—est**. Those who indulge in this sort of thing must expect to be abused in turn. **male audiendi patientia**, *the pain of hearing* (things spoken) *maliciously* (against one's self). **sed haec minora**. But the immediate evil consequences of an abusive tongue, however damaging to the advocate himself, and to the cause of his client, are not so bad, after all, as that vicious nature, or bad heart (*vitium animi*) which leads to this exhibition of ill temper and insolence (*petulantiam*), and which only lacks opportunity to show itself in deeds as well as in words.

11. libenter, *for their own pleasure*; not because of the importunity of a spiteful client (*non ad alterius arbitrium*). **nisi si forte meruerunt**. The full meaning is: "Unless indeed they have possibly deserved it." *si* thus added to *nisi* is emphatic. **communium officiorum**, *the common*, or *reciprocal courtesies* of the bar, or of the profession. **plane**, *really*; without qualification; no longer adversaries in a merely professional sense.

12. modestia, *self-control, moderation, modest dignity*. **ad stomachum litigatoris**. Comp. § 10.

13. species libertatis, *the appearance*, or *show of liberty*; such as is manifested in these personalities. **Pericles**. The words are given in Plutarch's life of Pericles: μηδὲ ῥῆμα μηδὲν ἐκπεσεῖν ἄκοντος αὐτοῦ πρὸς τὴν προκειμένην χρείαν ἀνάρμοστον. The idea of *giving offense to the people* is certainly not expressed in

these words; but our author thinks it is implied. **de populo —nocere.** As Pericles depended on the good-will of the people for the success of his political measures, and they had the power to defeat his plans if offended, so the advocate comes into contact with various parties who, in like manner, if provoked, may do harm to his cause. **fortia**; namely, the bold words *specie libertatis dicta.*

14–21. Some advocates are hampered in court by adhering too scrupulously to their carefully studied and written arguments, while others go to the opposite extreme of presuming too much upon their readiness in extemporizing, and so neglect due preparation. The proper limit (*modus*) between these is to be sought, on the one hand, in the most complete preparation allowed by the circumstances of the case, and on the other, in those exercises of premeditation and extemporary speaking which will keep the speaker always in readiness for the sudden emergencies of the court-room.

14. propositum; here, substantively, *aim* or *purpose;* as in x, 2, 11, et al. **fuit, laboravit**; examples of the perfect denoting a customary state or action.

15. in suscepta causa; join with *perfidi ac proditoris.* **peius agere quam possit**; a curious way of saying *non tam perfecte quam possit agere.*

16. scripta quam res patietur plurima; *as many things written* (or *prepared by writing*) *as the affair will possibly allow. patietur* here takes the place of the more complete form, *pati poterit.* **ut Demosthenes ait**; a saying, however, not found in any extant speech of Demosthenes; though we learn from Plutarch (life of Demosthenes, 7 and 8) that he wrote much and with great care, and did not speak *ex tempore* unless compelled to do so. **et sculpta**; not only written, but *even chiseled;* written, indeed, but with as much scrupulous finish as that of an artistic *intaglio* in wood, stone, or ivory. **primae actiones,** *the first,* or *opening arguments. actio* in the sense of plea or judicial speech, as in x, 1, 22, 5, 20, and xii, 6, 1. **in publicis iudiciis.** "In *private* trials there was but one formal speech, the object of which was to place before the judges the facts, while the merits of the case were reached by means of 'altercation,' or questions, statements, and rejoinders on both sides (v, 4, 1, sqq.; and see on x, 1, 35). But in *public* trials there was

more formality. Thus, if in the opening of the case many things were presented by the opposite side which demanded a more deliberate and careful refutation, the importance of the suit and the dignity of the court required that a new action should be granted after an interval of several days, when the advocates could come prepared to make additional speeches." Spalding. **respondendum.** Comp. x, 7, 3. **minus promptis,** *rather slow;* not of ready apprehension. The embarrassment of such speakers when surprised by unexpected questions, is even increased by any argument which they have carefully written out beforehand; and so "to have written" their speeches under such circumstances "is an injury" to them.

17. inviti recedunt, etc. Comp. x, 6, 7; 7, 32, 33. **tota actione,** *in,* or *throughout the whole speech;* analogous to the ablative of time. **intervelli,** *to be plucked out, seized upon;* implying that the passages thus transferred from the prepared speech to the extemporary will be irrelevant and forced. **quod si fiat**; *and if this* (forced transfer) *be made.* **coloris**; *style;* as in x, 7, 7, xii, 10, 71. See on x, 1, 59. **detegitur,** *it* (the unnatural connection) *is plainly seen.*

18. nec—contexta. Comp. x, 3, 20. It has neither the freedom of off-hand speech nor the logical connection of a well-studied and written one. *cura contexta = oratio studio contexta ac composita.* **non sequuntur,** *do not keep pace with.* They check the mind in the free movement of extemporizing, instead of keeping up with it, and giving help. **in his actionibus,** *in these* (extemporized) *arguments,* or *pleadings;* those that are made *cum protinus respondendum est.* **omni pede standum est,** *we must stand on the whole foot;* not as sometimes rendered, "on all our feet"; for the Greek phrase is ὅλῳ ποδί; meaning, not negligently on the side, or heel, or on the toes, but squarely on the whole. We must be in command of every expedient, as indicated in the remaining words of the chapter; that is, preparation by writing, perfect familiarity with the case (*ut causam bene noverimus*), attentive listening to our opponent in court (*ibi*), premeditation, making the mind ready for all emergencies, and promptness in off-hand speech. What the husbandman understood by this proverb is not clear; perhaps Spalding is right in referring it to the foresight of prudent

farmers in cultivating a variety of crops so that if the season is unfavorable to a part, they may depend upon the rest.

19. pari cura; that is, by careful writing.

20. quo facilius, etc. Comp. x, 6, 5. **transfertur**; transferred, as it were, to a point further on, after being interrupted by extemporary passages. See x, 6. **si quae alia**; more euphonious than *si qua alia*. **se credet** = *se sentiet*.

21. vires facilitatis; the *firma facilitas* of x, 1, 1. **in procinctu stantem**. See x, 1, 2, and note. **propter hoc**; on account, that is, of any embarrassment in extemporary speech. **oneri**, *the burden of* pleading. An orator fully equipped in all other respects (*cetera*), and especially in the art of extemporizing, will never shrink from the labor of forensic speaking, provided only he have the opportunity of learning the facts of the case.

CHAPTER X.

OF THE KINDS OF ORATORY TO BE CULTIVATED.

1–9. The diversity of styles of speech or eloquence (*oratio*) compared to that of Grecian painting and sculpture as developed in different periods and by different artists.

1. propositus. ii, 14, 5: *rhetorice sic, ut opinor, optime dividetur, ut de arte, de artifice, de opere dicamus.* The first topic, therefore, was the *art*, or body of principles and precepts constituting what would rather be called by us "the science and the art"; the second the *artifex*, or orator exercising the art, and the third the *opus*, or product both of the art and of the artist; that is, the speech, or oratory itself. **formae**, here and below, includes both *genus* and *species*, the general and the special, individual, or particular. **est**, *is involved*, or *is apparent*. Both the science of oratory and the attainments of the orator are brought into view, or made operative in these various forms or styles of eloquence. **differunt**; sc. *formae*. **specie**; i. e., in specific, particular, or individual character, as opposed to what is generic. **actio**; here, *a speech*. **Tuscanicae**. Tuscan bronze statues always retained an archaic type as compared with the Greek. **Asianus**. See on § 12.

2. haec operum genera; *these classes of works*, or *productions;* whether of oratory, painting, or statuary. **auctores** here includes both masters of eloquence and of statuary and painting; below, § 3, the word is used of painters alone. Comp. the sense of it in x, 2, 15. **ideo**. Our author thinks that diversity of ideas and tastes in oratory and all other arts, added to the influences of time and place, has prevented them from progressing in any uniform and fixed direction, and that *on this account* eloquence has not yet attained to perfection, nor, as he is inclined to believe (*nescio an*), has any of the arts yet been perfected for the same reason.

In the following examples of great painters and sculptors the influence of time and of individual gifts, tastes, and aims (*iudicio cuiusque atque proposito*) in giving various directions to art is clearly indicated. Zeuxis and Parrhasius, for example, both carry painting far beyond its development under Polygnotus and Aglaophon (*plurimum arti addiderunt*); but their works were *specifically* different. So in the instance of Phidias and Polyclitus among the sculptors. To make this parallelism between fine art and eloquence complete, Quintilian, perhaps, should not only have mentioned, as he has done, the typical masters of painting and sculpture whose works show the influence of their age, and also of their individual or *special* tendencies, but he should have pointed out distinctly the characteristics of *general* schools or classes (*genera*) of art-production, such as the Sicyonian, or Peloponnesian, the Attic, and the Rhodian. In the other part of the comparison, that is, in oratory, which follows, the most conspicuous *genera* or schools, the Attic, the Asian, and Rhodian, are described. As to the three general kinds of oratorical style technically termed *genera dicendi* (§ 58), they do not enter into this comparison with painting and sculpture, but are spoken of below in § 58, sqq.

3. Aglaophon. There were two painters of this name, one the father and the other a nephew of Polygnotus. Quintilian must have the former in mind; but why he mentions Polygnotus first can not be accounted for. Spalding surmises that the name may have been substituted in some way for that

of Antiphon, a younger brother of Polygnotus, who was also a painter. **simplex color**, *simple coloring;* not referring to "monochrome" painting, but to the use of few and decided colors. **proprio quodam intellegendi ambitu**; freely rendered: *through a desire of the reputation of peculiar insight*, or *by an affectation of superior judgment. proprio* seems to be used by enallage here for *proprie* qualifying *intellegendi*. **ambitu** is not usual in this sense; hence *quodam*. See on x, 1, 7.

4. Peloponnesia tempora, *the times of the Peloponnesian war* (B. C. 431–404). **apud Xenophontem**. See the "Memorabilia," of Xenophon, 3, 10. **rationem**, *principle, law, theory, proper treatment*. **examinasse—lineas**, *to have made a more critical study of lines*, refers to the contours of figures as seen by the eye in Nature, and skillfully imitated in the painting of Parrhasius. In the words of Pliny (35, 10, 67), *haec est picturae summa subtilitas*. The outline of a figure, he adds, ought to seem rounded and to vanish in such a way as to promise something more behind it, and to suggest even what it hides. This is not the same as the quality of correct *drawing* (*conscribere*) mentioned below.

5. plus dedit; i. e., gave more fulness, or larger proportions than Nature. Pliny (Hist. Nat. 35, 10, 64) says that Zeuxis was criticised for exaggerating the head and members of his figures. Quintilian, who seems in the whole of this comparison to have in mind either the remarks of Pliny on the two painters or those of some common authority, must mean that Zeuxis, while giving more attention to the light and shade of *surfaces*, or as Pliny expresses it, *corpora et media rerum*, as distinguished from the delicate contours and the faultless drawing of Parrhasius, also gave to the body and its parts an appearance of greater size. **id**, *this representation;* this type, or kind of body, thus magnified. **Homerum**. Nausicaae, for example, Odys. 6, 102–109, is compared to Diana towering above her nymphs in stature. **ille**, etc. The reference is especially to the *drawing* of Parrhasius, not to the delicacy or thinness of his vanishing outlines. His figures, drawn in pencil or crayon, were perfect in form and proportion; so that in this regard he was the "law-giver" in painting, like Polyclitus in sculpture.

6. cura. Protogenes painted his Ialysis with four layers of coloring, so that if one should disappear, there might be a duplicate left beneath. Pliny, H. N. 35, 10, 102. **ratione**, *in science*. **concipiendis visionibus**, *in imaginative designs*, or *in creations of fancy*. **ceteris optimis studiis**, *in all other noble attainments*. His general learning and culture is also implied in the praises bestowed upon him by Pliny, Plutarch, Philostratus, and other ancient writers. **fingendi**; strictly, molding in clay, or some other plastic material; though it came to be used, like the word "plastic," of statuary in general. Euphranor was eminent in every branch of the plastic art, whether in works of terra-cotta, bronze, or marble, and equally great as a painter. Comp. § 12.

7. Callon flourished about B. C. 516; **Hegesias**, a little later; **Calamis**, between B. C. 467 and 429. **adhuc**; join with *molliora*. **supra dictis**, *than those just mentioned*. **Myron** was a younger contemporary of Calamis. **Polyclito**. Polyclitus was of the same age as Myron, and a pupil with him in the school of the Argive Ageladas; but in some parts of his work he adhered to a more old-fashioned style than Polyclitus.

8. pondus, *dignity;* as in x, 1, 123, 130. **auctoritatem**, *majesty, grandeur;* synonymous here with the foregoing *pondus*. His art was usually exercised upon human figures, and those generally youthful. **aetatem graviorem**, *more advanced age*. **Phidiae**. Phidias was once the fellow-pupil of Polyclitus at the school of Ageladas, though considerably older. Quintilian has made Polyclitus more conspicuous here than Phidias, and mentioned him first in order, because, perhaps, he had in mind the progress of the art more particularly in representing men rather than gods. **Alcameni**. Alcamenes was the most distinguished of the pupils of Phidias.

9. cuius pulchritudo, etc. This statue by its majestic beauty seems to have brought additional faith and reverence to the traditional worship of Jove. **etiam**; with *adiecisse*. **ad veritatem**; meaning here: *to* (beautiful) *reality*, or nature in its most beautiful aspects. Lysippus and Praxitiles, in the age of Alexander the Great, brought sculpture to its highest perfection; but Demetrius, deficient in artistic discrimination, went too far in exactness of imitation, and thus was censured as a

minute, mechanical, and servile realist. He probably lived in the earlier part of the fourth century B. C.

10–15. The illustration is applied to past Roman orators, of whom Cicero is foremost as the master of all forms of eloquence; though unjustly censured by the self-styled "Attics."

10. species, *varieties.* See on § 1. **condicione temporum.** Comp. § 2. **iam,** *even then.* **hinc,** *for ex hoc numero.* **sint, teneant, efflorescat.** Supply as the protasis, *si genera intueri velis.* **mediam illam formam,** *that intermediate style;* referring to the middle period of the development of art, of which the representatives were Zeuxis and Parrhasius in painting, and Myron in sculpture.

11. vim Caesaris, the orators here mentioned, with the exception of Calidius, are more fully described in x, 1, 113, and to the end of that chapter. **indolem** = *ingenium.* **subtilitatem Calidii;** *the delicacy,* or *finished elegance of Calidius* Cicero describes in the Brutus, 79, 274. See also Q. x, 1, 23. **sanctitatem,** *purity;* scrupulous severity in the choice and arrangement of words. See x, 1, 115.

12. circa pluris, etc. See on § 6. **in quoque;** sc. *oratore.* **exultantem,** *jingling, tripping.* See on x, 2, 16.

13. habetur, *is* (now in our day) *considered.* **male audire potuit;** that is, in his own times. He was exposed to censure in his own day even on the part of hostile critics on no other ground than because of his richness and exuberance. **floribus, adfluentia;** as opposed to the dry and barren style of eloquence with which he is charged by Quintilian's contemporaries. **illa—occasio.** There is a more plausible reason for the last-mentioned criticism; for excess of ornament and fancy are faults at least of genius.

14. parum superstitiosum, *not standing in awe; not reverently obedient.* **illis legibus,** *those* (narrow, self-imposed) *rules* (of style). **unde** = *ex quo numero.* These critics of today are also of the same sort as the "Attics" (*haec manus*) of his own time.

16–19. Grecian oratory classified as Attic, Asian, and Rhodian.

16. Santra; a grammarian mentioned also by Festus and

Paulus, but otherwise unknown. **quae—poterant;** *which might have been expressed in direct* (or *literal*) *terms;* had they possessed perfect command of the Greek language. Comp. § 35.

17. quidam, *in a certain sense;* join with the adjectives. For the sense, see on x, 1, 7.

18. gentis, *of their nationality;* that is, Asiatic Greek. **auctoris,** *of their teacher.*

19. Aeschines. Having been defeated in the contest with Demosthenes (*de corona*) Aeschines retired to Asia Minor, and finally to Rhodes, where he established a school of oratory which gave rise to the Rhodian characteristic style of which Quintilian here speaks.

20–26. The diversities of the true Attic orators among themselves in regard to style, and their characteristic excellence as a *genus.*

21. solos Atticos; predicate after *esse.* **significantis,** *expressive;* concentrating much fulness of meaning in single words. **manum intra pallium;** an indication of calmness. **hic** is taken by Buttmann adverbially, *here; in this case;* but the sentence is more naturally translated *who shall be* (or, *be taken as*) *this* (typical) *Attic?* **Lysias.** See x, 1, 78, and note. **hunc—modum,** *for* (his) *admirers hold to him as the measure of this term.* **Coccum, Andocidem.** Coccus is supposed to have been a pupil of Isocrates. Andocides was one of the "ten." See x, 1, 76, and note. These two were still more terse and severe than Lysias, and why shall we not, therefore, if his style is the typical Attic, be sent or referred (*remittemur*) at last to them as still more perfect, or at least extreme, in the same kind? They are all examples of the *genus tenue.*

22. Similius, sc. *Lysiae.* **Hyperides.** See x, 1, 77. **voluptati,** *sweetness, agreeableness.* **Lycurgum;** a pupil of Plato and Isocrates. **Aristogitona;** a demagogue, who was an adversary of Demosthenes. He is probably mentioned in this respectable company as an example of what "Attic" oratory could be in the way of impudence and coarseness. **Isaeum, Antiphonta.** Their historical order is reversed. Antiphon was the earliest of the "ten," and was in fact the founder of genuine public oratory for practical purposes. He disapproved of the study of eloquence after the school of Gorgias

and the other sophists whose aim was the exhibition of ingenuity in speech. Among his pupils was Thucydides. Isaeus was a pupil of Lysias and Isocrates, and is said to have been a teacher of Demosthenes. **ut homines**, etc. You may call these orators alike in kind (all Attic), but different in special characteristics (*specie*), just as you classify men.

23. compositione, *in phraseology* or *structure;* the arrangement of words, verbal order. **locis**, *in passages;* in proper places, or on proper occasions; not here in the technical, or rhetorical sense of *loci communes*, moral sentiments of general application; for outbursts of lofty eloquence in Demosthenes are by no means confined to these. **translationibus**, in metaphors. **oratione ficta**, *in imaginary speech;* an impersonating in his speech of the dead or absent. The full expression is *ficta personarum oratione.* See iii, 8, 54, vi, 1, 25, ix, 2, 30.

24. vatibus comparandum. Comp. x, 1, 81. **Periclea**; sc. *appellabimus.* **fulminibus, fragori**; the allusion is to the words of Aristophanes in the Acharnians, 530, sq.: ἐντεῦθεν ὀργῇ Περικλέης οὐλόμπιος ἤστραπτεν, ἐβρόντα, ξυνεκύκα τὴν Ἑλλάδα. See also ii, 16, 29.

25. ibi demum = *in iis demum, there, in them only;* that is, in the plain, terse, or Lysian school of Attic. **quos** refers to the subject of *putent* and *dicant;* the self-styled Attics. **hanc—fidem**, *this exact return of that soil;* yielding no more than it receives. What Menander mockingly says (*eludit*) of the land belonging to one poor Attic husbandman, Quintilian chooses to apply to the whole territory. The passage has been preserved in the extracts of Stobaeus, Serm., chapter lv.

26. tamen has reference to the concession implied in *summus* (*quidem*) *orator.* **quae.** Supply for the antecedent *alias virtutes.* **lege civitatis.** See x, 1, 107, and note. **numeris—aptius**, *shall have been uttered* (*come forth from the mouth*) *more fitly in respect to rhythm;* expressed in a more fitting verbal arrangement or "composition." See above on § 23. **nomine**; sc. *Attici.*

27-34. The Greek language has an advantage over the Latin, especially on account of the greater number of euphonious letters in its alphabet, the greater variety in its system of accentuation, and the richness of its vocabulary.

27. opinione; namely, that there is but one variety or form (*species*) of Attic eloquence. **ceteris—artibus**; that is, whatever attainments or processes in speech-making do not involve the form of expression. **rationem eloquendi**, *mode of expression;* rhetorical form. **vocalem alteram**; the Greek upsilon, υ, represented by the Latin *y*, as in *cymba*, was probably the same in sound as the French *u* or the German *ü*. **consonantem**; *φ*.

28. quae, etc., *which* (letters), *if they be written* (or *represented*) *by our letters* (*f* and *u*), *will produce a sort of dull and barbarous sound.* The soft Greek letters transformed into these two Latin letters, will be supplanted, as it were (*velut*), by *dismal and rough sounding ones.* That is, we should have "efuris" and "zefuris" for "ephyris" and "zephyris." *Ephyri* is perhaps the name of a people.

29. sexta; f. **discrimina dentium**, *the narrow passageway of the teeth*, implies that the Greek φ (= ph) retained in its Greek pronunciation much more of the sound of *p*, the soft labial quality, than the Latin *f*, which is a more *windy* letter, and brings the teeth into play as well as the lips. **proxima** (coming), *next* (before). **accipit**, *takes to itself*, or, *is united with.* **aliquam consonantium frangit.** Thus the consonant *r* breaks the force of *f* in *frangit*; interrupts the wind. **aeolicae litterae.** The sound of the Greek digamma, which, Quintilian says, corresponds to that of the Latin *v* in *cervum* and *servum*, can not be determined with absolute certainty; though probably it was a softened *w*. Shortly before the time of Quintilian the emperor Claudius introduced into the alphabet an inverted *F* (Ⅎ) to represent this sound of the Latin *v*, but it was soon laid aside. See i, 7, 26; Tacit. A. 11, 14. **nos persequitur**, *abides with us;* that is, in our speech.

30. illa (*littera*). The letter *q*, which is here intended, would be *supervacua*, inasmuch as it has the same sound as *c*, unless it were useful, and that solely (*demum*) for the purpose of uniting vowels immediately following it (*subiectas sibi*); that is, in those combinations in which *u* after *q* coalesces with another vowel; for the substitution of *c* for *q* in such combinations, as, for instance, in *aquae*, *quo*, or *qualis*, would require the two vowels to be pronounced separately. **ipsae**; even

without the *q* preceding. **hae vocales duae.** The two vowels thus combined after *q* may be either *ua*, *ue*, *ui*, *uo*, or *uu*.

31. ny; or *nu*, the name of the Greek letter *ν*, used here for the letter itself. **in clausulis**, *at the ends* (of words).

32. innituntur, *terminate in;* "lean," as it were, or fall forward upon. **sed et—subiciendo**, *but moreover by annexing s*, (though) *itself also an unmusical* (letter), *to the letter b in the preposition* (*ab*). So *d* of the preposition *ad*, was generally omitted in certain compounds; as in *asto* and *aspicio*.

33. similitudine, *monotony;* want of the pleasing variety of the Greek system of accentuation. **acuta, flexa**, *as acuted, as circumflexed;* in the nominative agreeing with *syllaba*. These adjectives in the feminine may have been used with an ellipsis of *vocalis* or else of *προσωδία* (accent), as suggested by Capperonier in his note on i, 5, 23, or of *vox*, which Cicero uses for *τόνος* or accent in Orat. 18; and so they may be taken here, with some, in the ablative (*acutā προσωδίᾳ*, etc.); but such an ellipsis lacks authority. However, with *excitatur* and *circumducitur* we may translate: *the final syllable is never raised with the acute accent nor lengthened out with the circumflex.* The accent is a *tone* or *pitch* of sound, high or low, not mere *stress* of voice. **gravem**; supply *syllabam*. *Verbum* or *vox*, the subject of *cadit*, was left out, Buttmann suggests, either by the negligence of the author or of the copyists. **duas graves.** The word ends in two falling syllables or tones, when the acute is on the antepenult. **nominibus**, *terms, words;* referring especially to nouns and adjectives.

34. his refers to Latin, **illa** to Greek words. **carent appellationibus**; that is, in the Latin language. **transferre**, *to express metaphorically.* **circumire**, *to employ circumlocution;* to convey their meaning by circumlocution. **etiam in iis—revolvit.** Even in regard to objects which are actually named, or for which we actually have names (*denominata sunt*), our lack of variety or richness of synonyms (*paupertas*) continually brings us back to the same words again. **linguarum copia**, *a rich variety of dialects;* dialectic idioms.

35-39. This disadvantage of the Latin language must be compensated in Roman eloquence by ingenuity and power of thought, and by rhetorical ornament.

35. gratiam sermonis Attici. Comp. x, 1, 65 and 100. **rerum nimiam tenuitatem**, *extreme simplicity of matter. nimiam, excessive*, seems to have reference to the following comparatives. The matter may possess a degree of simplicity or delicacy incompatible with too fulsome (*pinguioribus*), or with too powerful (*fortioribus*) terms or rhetorical figures. **virtus utraque**; both simplicity of matter and fitness of diction. **confusione**, *by the* (forced) *combination.*

36. sensus, *ideas, conceptions.* **graciles** = *tenues, plain.* **subtilitate**, *in refinement, in finish*, or *in terseness;* kindred to *tenues*. **proprietas**, *literalness, exactness.* **certior**, *more assured;* more easily commanded. **copia**, *in* (rhetorical) *fulness;* not here *richness of terms. Copia dicendi*, not *copia verborum.*

37. ingenia Graecorum, etc. Even those of the Greek writers who are of an inferior order find their harbors; find ports for the disposal of their goods; or, without a figure, find interested and approving hearers and readers, and that on account of the simple grace of style which is inseparable from their language. **nam—inveniam.** For we must sometimes imitate the plainness and simplicity of the Greeks; but even then the different nature of our language compels us to keep away somewhat from the *vada*, or very plainest style, and to seek *aliquid altius*, some deeper water for our craft than the shallows in which, if need be, the Grecian writer can safely sail. **sidat**, *ground, touch bottom.*

38. non contendimus. See x, 1, 100. **pars haec**, *this element;* this simple style. **exigenda**, *must be worked out, cultivated.* **modo et iudicio**, *in measure and choice;* in the due prominence given to each topic or idea in the discourse, and in the exercise of judgment in the selection out of the many things possible to be said on every subject those which will be most pertinent to the occasion. *modus* as in x, 1, 76. **extrinsecus**; *from without.* As *within* the Latin words themselves (*in ipsis*) we lack attractiveness, we must compensate the deficiency by rhetorical ornament, and by graces of delivery also. **condienda est**; not here, *must be seasoned*, but *must be imparted by seasoning.*

39. in privatis; supply *causis*. In private or personal

lawsuits simplicity and brevity are to be expected. **acutus**; of style; *pointed, direct, terse;* as in x, 1, 77, and as *acumen* in x, 1, 106, 114, and in xii, 10, 59. See note on x, 1, 77. **indistinctus**, *unadorned;* not set out with ornament. **cui**, etc. "Who can fail to be satisfied with the example afforded by such Roman orators as these, possessing an Attic simplicity that can not be surpassed?" *qui* has been substituted in some editions for *cui*, but without advantage to the sense.

46-48. The error of insisting exclusively upon plain speech and repudiating all ornamental or rhetorical eloquence.

40. fictum, *rendered artificial.*

41. lege ciborum. Comp. x, 5, 15. **esse**; sc. *putant.*

42. extitisse; sc. *oratores.* **etiam—ducentis**, *though more cautiously, yet on the same principle* (as the poets), *regarding as excellencies terms which are artificial* (*falsa*) and *figurative* (*impropria*). **recedendum**; sc. *oratoribus.*

43. in loco compositionis. Prose rhythm is the topic of ix, 4, 3, sqq. **quibus—est**, *than which nothing less is possible;* that is, nothing less can convey the thought. **melius**; *better, more interesting;* more ornamental in form of expression; some improvement on literal speech. **hac calumnia**; namely, the stricture expressed in *quidquid huc sit adiectum*, etc., in § 40. **species**, *forms, states of feeling.*

44. lacertos; by synecdoche, as in x, 1, 33, for *sinews*, or *muscles.* **servant—discrimina**, *keep their differences of character;* preserve their personal characteristics in speech.

45. effectius, *more elaborate; more artificial.* **non solum** (*non*)**—sed ne—quidem.** See H. 552, 2; Z. 724, *b;* M. 461, b. **utilitati**, *to the advantage* of his case, or of his client. Comp. § 72. **cum diceret**, etc.; rather negligently written for *cum, ut ipse dicebat, suam rem ageret; ageret autem*, etc.; "when, as he himself used to say, he was advancing indeed his own interest (as an orator), but (at the same time) he was advancing most of all that of his client."

46. cuius voluptates, *whose agreeable qualities, charms,* or *beauties of style.* Comp. § 50. **nisi ut sensus.** See Introduction, page 14. **neque enim—potest**, *and, indeed, this is possible.* **dicendi auctoritate**, *the impressiveness* or *dignity of the speech.* **lumina** = *sensus, brilliant ideas,* or *passages.* **invicem.** If they occur too frequently they neutralize each other, ending in the fault of "uniform brilliancy."

47. non in gradus. The more foppish orators tricked themselves out after the extreme of fashion. The hair was arranged in tiers of rolls and ringlets. The follies of dress are described in Tacit. Dial. 26. **cum eo quod**, *besides this.* See on x, 7, 13. **speciosiora**, *more attractive, beautiful.* **honestiora**, *more decorous, tasteful, comely.*

48. sententias; equivalent to *sensus* in § 46.

49-57. A difference between spoken and written discourse sometimes, though by no means always necessary.

49. excitatiora lumina, more brilliant *ornaments.* **componendis orationibus**, as the antithesis to *dicere*, refers to *written* speeches. **ideo**; because they thought that their speeches as actually spoken would be unsuitable for future times (*posteritati*), and for permanent literature (*mansuris mox litteris*), unless so modified when written that their genuineness would be lost. **mox**, here in the sense of *postea.*

50. voluptates. See on § 46, **at quod—edatur**, *but that which, consigned,* or *committed to books, is published as a model;* an exemplar of finished oratory.

51. subtiles; not here of the style, as in x, 1, 78, but of the judgment, as in i, 4, 25, *acute, discriminating, critical.* **ut—persuaserunt** (*id esse*), for *ut sibimet ac multis videntur.* The reading is conjectural. παράδειγμα, *the example*, as a technical term, means the induction from examples; rhetorical induction; argument based upon analogous facts. See v, 11, 1, sqq. ἐνθύμημα, the rhetorical syllogism, reasoning from probabilities, is better fitted for discourse to be read. **tradiderunt**; for *docuerunt.* **monumentum**, *the record; written record, permanent form,* or *copy.* **debet**; the subject is *oratio scripta.*

52. consilium, *a body* or *a court.* The word is used by Quintilian indifferently in the sense of *counsel* and *council.* **strictior.** See x, 1, 106. **apud talis**, in the presence of judges of this character. Comp. iv, 1, 73. The authority is Aristot. Rhet. iii, 14, 8: Δεῖ δὲ μὴ λανθάνειν, ὅτι—τὰ τοιαῦτα πρὸς φαῦλον ἀκροατήν· ἐπεὶ ἂν μὴ τοιοῦτος ᾖ, οὐδὲν δεῖ προοιμίου. See also

on x, 1, 107. **proprie et significanter**, *in literal and direct terms.*

53. cum, *when, whenever*, in a hypothetical or conditional sense, occasionally takes the subjunctive instead of the indicative. See vii, 4, 44, ix, 3, 68, x, 7, 7. **laturi sint sententiam**, *are to cast their votes, render their verdict;* that is, by putting their votes into the urn. **eaque**, *and these* (same arts, too). **et cum dicimus—oporteat.** The same rhetorical arts are to be displayed in writing which are to be exhibited in speaking, in order that the written speech may serve as a faithful exemplar of the actual plea, or forensic speech.

54. egisset, egerunt, and **aget**, below, are used in the sense of *dicere, to speak, make a plea, speech*, or *argument.* **dici, scribi**, *their speaking, their writing.*

55. secundum naturam iudicantium. If the character of the judges (or jury) is such that the advocate is obliged to introduce some things in bad taste, these blemishes must be left out of the published speech (*editio*) lest they should seem to have belonged to the purpose (*propositi*) of the orator rather than to the necessities of the occasion (*temporis*).

56. quomodo—velit. It is very important for the advocate to observe what spirit or disposition the judge shows in listening; whether interest, pleasure, indifference, weariness, or aversion. **ut Cicero praecipit.** The passage is not to be found in any extant work. **sermo ipse**, *the language itself* or *style* of the speech, as distinguished from the substance. **testium personis**; *by the characters of witnesses;* on account of their individual characteristics.

57. Amphionem. The rustic pronunciation, of course, was "Amplon." The name was in common use among the slaves and freedmen.

58-65. Another classification of oratory as the *simple*, the *grand*, and the *intermediate*; and the appropriate use of these three kinds.

58. et ipsa. This division is *also* threefold as well as that given in §§ 16, 18, which classifies oratory as Attic, Asian, and Rhodian. *ἰσχνόν, the thin, plain; tenue, subtile.* *ἀδρόν, the large, grand, amplum.* *ἀνθηρόν, the flowery, polished, beautiful.*

59. quorum—est. Cic. de Orat. 2, 29, gives their characteristics, putting the *ἀνθηρόν* first: *harum trium partium prima lenitatem orationis, secunda acumen, tertia vim desiderat.* **acumen**, *perspicuity; directness, point;* a quality of style as in x, 1, 114, and in the above quoted passage from Cic. de Orat. **detractis ceteris virtutibus**, *in the absence of the other excellencies of style;* those, namely, which are characteristic of the *grande* and the *floridum.* **suo genere plenum**, *is complete in its own kind*, or, *in itself.*

61. ille; sc. *modus.* **pontem indignetur**; Aen. 8, 728. **ripas**; that is, new banks. **multus et torrens**, *swollen and impetuous.* **iudicem feret**; comp. x, 1, 110. **hic orator**, etc. Such an advocate will not only invoke the dead, as in the instance of Appius the Blind, but in his impassioned eloquence he will bring the country itself into his presence, uttering her entreaties, and sometimes appealing to him as she does to Cicero, etc. **ut Appium Caecum.** In the plea *pro Caelio*, 14. Cicero represents the shade of Appius addressing Claudia. **patria exclamabit**, etc. See Orat. in Catil. 1, 7 and 11.

62. quae Charybdis. Cic. Phil. 2, 27. **in congressum sermonemque**, *to conference and counsel;* into participation, as it were, with the orator in his discourse. **vos enim**; etc. Cic. pro Mil. 31. **hoc dicente—flebit.** This is the emendation of Madvig for the old reading: *te vidit et appellavit et flevit.* **nec doceri desiderabit**, *nor will he need to be instructed*; that is, as to any details of fact. Without these his mind will be shaped to the purpose of the orator by the appeal to his sympathies alone.

64. non deerrare verbis, not missing the point, *not erring in words;* the translation of Homer's *οὐδ' ἀφαμαρτοεπής*, in the description of the speaking of Menelaus, Il. 3, 213, sqq. **dulciorem—sermonem.** Hom. Il. 1, 249: *ἀπὸ γλώσσης μέλιτος γλυκίων ῥέεν ἀυδή.* **in Ulixe**, etc. Hom. Il. 3, 221-223: *ἀλλ' ὅτε δὴ ῥ, ὄπα τε μεγάλην ἐκ στήθεος ἵει καὶ ἔπεα νιφάδεσσιν ἐοικότα χειμερίῃσιν. Οὐκ ἂν ἔπειτ' Ὀδυσῆϊ γ' ἐρίσσειεν βροτὸς ἄλλος.*

65. cum hoc—contendet. Il. 3, 223, quoted in note on § 64, is here translated freely to suit the purpose of Quintilian. **hunc—intuebuntur.** "Such an one in speech (rivaled by no mortal), men will look up to as a god." The words are printed in most editions as a remark of the author; but by Bonnell and

Halm in the form of quotation, as if intended to express more fully what is implied in the line of Homer. **miratur Eupolis.** See on x, 1, 82. **fulminibus Aristophanes comparat.** See on § 24.

66-68. An indefinite number of varieties of style intermediate between the simple (*gracile, tenue*) and the grand (*validum, amplum*) and the florid (*floridum, tertium*), compounded of the three principal styles and of each other.

66. gracile, validum, tertium. See § 58. **intervalla,** *intermediate places;* degrees, varieties. **haec ipsa,** *these* (specific varieties) *themselves,* or *even these.* **mixtum ex duobus,** *compounded of* (any) *two.* For the form comp. x, 1, 54. **eorum,** referring to *duobus,* limits *medium.* The construction of *medius* with the genitive is found in v, 10, 125, and examples are given in the lexicons from Caesar and the poets.

67. illud lene; the *ἀνθηρον, medium, tertium.* **cum interim;** for *cum tamen.* See on x, 1, 18.

68. quinque constituerunt sonos, etc. The Greek system of tones embraced two octaves; as, for example, from C to $\bar{c}$. The five sounds specified here are the extremes of these two octaves, C, c, $\bar{c}$, and their intervening fourths (f, $\bar{f}$). Consequently each octave consists of two large intervals, a fourth and a fifth, from C to f and f to c in the first octave, and from c to f and $\bar{f}$ to $\bar{c}$ in the second. These large intervals are meant by the words *spatia illa nervorum.* The octaves are *completed* by the introduction of the other "sounds," or tones and semitones of the diatonic scale; and thus is produced manifold variety (*plurima varietas*), not so much in the absolute number of the tones of these two octaves, as in the infinite number of melodic combinations of which they are susceptible. But between these (*his*) diatonic tones which they have thus added to the five primal ones, musicians introduce (*inserunt*) also the chromatic and enharmonic lesser divisions of the tone, so that those few primal intervals (*transitus, spatia*), only four in number, include many degrees or gradations of sound.

69-72. Every variety of style in oratory has its place and use.

69. atque id ipsum—vocant, *and* (since) *moreover even*

that which they commonly call a kind (*class, style, school*) *of speaking, does not pertain to a true orator.* He must not be thus limited as to his manner of speech. The reading *non* for the more usual *omne,* has the best MS. authority. **pro,** *fitted for, adapted to, in keeping with.*

70. de interdictis, *about interdicts.* An *interdict* is a decision of the praetor terminating a dispute between private parties directly and by his own authority, *auctoritas finiendis controversiis,* without employing *iudices* or jurors. Of course, he first listened to the litigants or their advocates. **sponsionibus,** *guarantees.* The *sponsio* was a kind of legal "wager" made by each of the parties in a civil suit, to be forfeited by the one defeated. **certa credita,** sc. *pecunia, a loan.* **multa mutabit,** *he will make many modifications; he will vary his style much.* **ex isdem haustibus,** *from the same sources;* from the same resources of eloquence. The authorities are divided mostly between the readings *haustibus* and *partibus.* The former is preferred by Bonnell and Halm, and has some countenance in the kindred sense of the word in xii, 2, 31.

72. potenter, *with power.*

73-76. The glitter of false eloquence.

73. vitiosum et corruptum, etc., comp. x, 2, 16. **lascivit.** See on *lascivus,* x, 1, 88. **casuris, si excutiantur,** *that will fall off if shaken;* that will prove to be without sense if but slightly criticised. **praecipitia,** *stilted, high-flown, strained;* the quality expressed in x, 1, 66, by *grandiloquus usque ad vitium.* The metaphor is drawn from the steep bluff as compared with the lofty (*sublimis*) mountain. **specie libertatis insanit.** Comp. 9, 13.

74. aliunde, *from any other cause.* **aggerem,** sc. *viae, the highway.* Juvenal, vi, 588: *plebeium in circo positum est et in aggere fatum.* Hor. Sat. 1, 8, 15. **circuli,** *gatherings, crowds.* The allusion is to the groups of people listening to some fortune-teller, or mountebank in a public square or road. **agentium,** *advocates, pleaders.*

75. exquisitius; *somewhat better* (than common speech). **illud** refers to the *exquisitius, qualecumque id est.* **ut lana,** etc.; from some poem of Ovid no longer extant. **fuco citra**

purpuras, *with red unmixed with purple;* some red dye less costly and beautiful than purple; that is, *home-made red.*

76. fucinis, *red-dyed* things; things stained with *fucus.* **igniculi**, *sparks of fire;* predicate nominative after *videntur.*

77–80. The true orator will attain to the power of doing perfectly (*optime*) all that has thus been described, and of doing it with entire facility (*facillime*); and the severe toil by which this perfection must be reached, can at last be remitted, though not the constant *exercise* of his art.

77. neque—intabescentem. Comp. x, 3, 11; 4, 3; 7, 14. **verba vertentem**, *recasting his words;* doing throughout his professional life what should have ceased after the proper amount of this sort of work in his school-days. See x, 3, 5: *versentur omni modo numeri*, etc.

79. lenius supina, *more gently sloping* (*places*); *more gentle slopes;* those of the *mollior clivus.* **cotidie nisi decerpantur.** See x, 7, 24, sqq. **sed et copia**, etc. In the full possession of all the resources of eloquence, the orator may be led into the ambitious display of his power.

80. sic erunt—tumida. Comp. x, 2, 16. We may use for the indefinite subject *edita* or *scripta; productions.* **abrupta**; the synonym of *praecipitia* in § 73. **fortia, temeraria**; as in x, 2, 16, and ii, 12, 4. **laeta**; see on x, 1, 46. **in ceteris ratio**, *the analogy in all the other* qualities of style; that is, the relation of the good and genuine to their counterfeit or caricature. **per medium via**; that is, *via inter duas media.* **utriusque** (*viae*) **ultimum**; that is, *utraque via circa mediam ultima*, or *via ab utraque viae mediae parte.* Translate: *the extreme on either side.*

CHAPTER XI.

THE PURSUITS OF THE ORATOR AFTER RETIRING FROM PUBLIC LIFE.

1–4. The orator should give up public speaking before his powers decline, and thus save himself from being contrasted in his decay with his former self (*se priorem*), and from compromising his former renown.

1. consiliis, *in councils;* in a general sense, deliberative assemblies of any kind. **contionibus**, *in popular assemblies.* **non quia sit.** See on x, 7, 31.

2. scientia. It is not in knowledge and intelligence that the aged orator is in danger of failing, but in accomplishments that depend upon his physical condition; and this by the common law of Nature decays with age. **quaerat**, *seek* (in vain); as in 1, 21.

3. Domitium Afrum. See Introduction, page 11, x, 1, 118. **meruerat.** See on 9, 8. **quod—videatur.** So in ii, 16, 1: *et, quod sit indignissimum, in accusationem orationis utuntur orandi viribus.* The relative may be explained as equivalent to *res eiusmodi quae.* **alii erubescerent.** These were his friends and admirers. **dicendi** is followed in one of the MSS. by *illo*, from which Halm conjectures *de illo;* but the sense remains the same: the persistence of the old orator in keeping himself before the public led to the remark that he preferred rather to fail than to give up speaking.

4. illa refers to these speeches of his declining years. Of whatever merit (*qualiacumque*) they were, they were not bad (*mala*) in themselves, but only inferior (*minora*) to his former efforts. This is the more obvious interpretation, though Spalding refers *illa* to the evil consequences of Afer's imprudence, the ridicule of some, and the mortification of his old friends. **receptui canet**, *will give the signal for, will sound a retreat.*

4–7. Fruits of learning (*studiorum fructus*) will attend him in his retirement no less than those he has brought forth in his public life; for he will now produce important writings, or interpret the laws (*iura reddet*), or discourse on maxims of morality (*vitae praeceptis*), or direct the youth resorting to his home to the pathway of true eloquence (*vere dicendi viam*), and he will probably find this, after all, the happiest period of his life.

monumenta rerum, *records of events, histories; res* as in x, 1, 95. **in libris Ciceronis.** De Orat. 1, 42, 190. But Quintilian forgets that Crassus in the passage referred to proposes to write a treatise (*artem*) on law, not to give counsel or instruction (*iura quaerentibus reddere*). **praeceptis**, *maxims, lessons;* as in x, 1, 52; join with *dignum*, not *dabit*. **os dabit**, *will utter speech.*

5. more veterum. See on x, 5, 19. Also Cic. de Senect. 8, 9. **flatibus**: ablative of time. **ratio**, the "relation," *the occasion* or *circumstances*, is Spalding's emendation for the old reading *ratis*. **humanitatis officio**, *the duty of philanthropy; humanitas*, as mostly with Quintilian, in the sense of "the good will of man toward men." The difference between the Latin term in this sense and the Greek φιλανθρωπία is that the former leaves the object, and the latter the subject of the feeling to be understood.

6. Caelium—Cicero profitetur. See Cic. pro Cael. 4. **Pansam, Hirtium, Dolabellam.** See Cic. Ep. ad Famil. 9, 16, where, however, mention is made only of Hirtius and Dolabella by name. In an anecdote introduced by our author in viii, 3, 54 (Spalding's text), Pansa appears in a similar relation to Cicero.

7. nescio—fore; grammatical order: *nescio an oporteat fore eum credi.* **secretus et consecratus**; closely connected in sense; *set apart and sanctified;* no longer in contact with the profane strifes and ambitions of the forum, but devoted to the sacred pursuits of learning and instruction; *sacra litterarum colentis* (x, 1, 92).

8–31. THE CONCLUSION.

8–9. Though the author to the best of his modest ability (*quantum mediocritate valuit*) has now embodied in this treatise all the knowledge of the subject acquired in his professional life and all that he has been able to learn by investigation (*inquirere*) in the progress of the work, he fears that even those who accept all that he has laid down as essential conditions of perfect oratory, will be deterred from undertaking a task seemingly so formidable.

8. que—que = *et—et;* as in ii, 5, 7, et al. **inquirere**, *investigate, ascertain.*

9. multa. Supply *nimium.* **praeter ea, quae de eloquentia tradebantur.** That is, besides the teaching of those rhetorical principles which form the specific and proper subject of my treatise. *tradebantur*, in the sense of *teaching*, as in x, 1, 15, and below, in § 14. **velut—perhorrescant**, *lest they should shrink, as from a tedious delay* (waste of time) *in the work.* **rei**, here, is the whole work of preparation prescribed by Quintilian, and as a genitive denotes the cause of *moram;* like *scribendi* in x, 3, 6, and *stili* in x, 7, 14.

10–13. But let them consider (*renuntient sibi*) what the human mind has achieved in other sciences, as, for example, in navigation, astronomy, and geometry; and then, think of the greatness of oratory and its high reward; the ease with which a student with resolute will can acquire the principles of virtue, and the readiness with which all the other required accomplishments (*cetera*) can be attained by one who has begun his work with this moral foundation.

10. mundum dimetiri denotes the science of geometry. i, 10, 46: *se eadem geometria tollit ad rationem usque mundi.* **artes**; subject of *potuerint.*

11. quod relates to the two preceding injunctions: *renuntient sibi* and *cogitent.* **huic parti accedent**, *they will agree to this* (following) *proposition.* **ut**; explanatory of *parti; namely that.* **saltem.** See on x, 2, 15. **artis**, *principles of philosophy;* ethical systems.

12. intentione, *earnest study;* close application. **institutio vitae honestae beataeque**, *the discipline of an honorable and happy life;* the moral training that secures a perfect life. **meliora**; of moral virtues; not as in x, 1, 131.

13. sicca; neut. pl. substantively. **terrenis**; sc. *animalibus.* **circumfusus nobis spiritus** = *aër.* **cetera**, as opposed to the *institutio vitae honestae beataeque*, or moral discipline just mentioned, embraces all the other attainments demanded by Quintilian in the present treatise. **etiamsi—modus.** Even if we limit the labor of this preparation to the period of youth, and do not extend it into that of old age, system and method will make that period amply sufficient.

14–20. The chief impediment to the proposed work is the misspending of time, partly through the mercenary motives or the ambition or the incompetency of teachers, leading them to detain pupils under their

instruction for an unnecessary length of time, partly through our own fault, as students of oratory, in resting content with what we have learned, or keeping up too long the study of fictitious declamation, instead of passing on to real questions in actual practice; then, again, we waste a large part of life, that might be given to study, in the corrupting and frivolous pursuits of the world.

14. nobis; students of oratory; aspirants to the fame of eloquence.

15. ut de his—taceam seems to refer to such teachers and orators as Porcius Latro, mentioned in x, 5, 18. **in rebus falsis**; *inanibus simulacris.* Comp. x, 5, 17.

16. dicendi exercitatio. The practice of speaking may be not only of the kind (*specie*) cultivated in the school of rhetoric, but that which the author in x, 7, 24, sqq. recommends the orator to keep up through his professional life. **dum scholastici sumus.** See 6, 6, and x, 5, 19. **discendi**; here of learning or studying in the schools, in emphatic contrast with *cognoscere, perdiscere, experiri*, the practical learning spoken of in the foregoing sentence. **ratio,** *the nature.* **habui mentionem**; in § 10. **adeo**; *so true is it that.* **spatio ac traditione**, hendiadys for *spatio tradendi.* **reliqua est—exercitatio.** After the acquisition of the learning of the schools, which demands this comparatively brief period of time, the kind of exercise that remains for the orator is of that practical nature which speedily develops his powers, and also maintains them in their vigor. **vires facit**; as in x, 3, 3.

17. et—petuntur. Bonnell, contrary to the earlier editions, has made this sentence interrogative. The context seem to require that it should be answered negatively. Though the multitude of books keeps pace with the increase of hum knowledge, after all, the reading of a limited number will f nish the orator with ample illustrations of facts and of oratory and also abundant instruction in philosophy and law. **quoque**; also, as well as historians and orators. **nec,** *and yet not;* as in viii, 6, 74. **sed breve,** etc. This comment on the perverse employment of time is a brief epitome of the reflections of Seneca on the same topic in the essay "de Brevitate Vitae," 1, 3, sq.

18. salutandi labor, *the task of salutation;* of mor calls to attend the receptions of the nobility. **fabulis**; here,

not dramatic performances, but stories or fictions, whether in the form of plays or of narratives, for reading; as Cicero de Finibus, 5, 19: *fictas fabulas, e quibus utilitas nulla duci potest, cum voluptate legimus.* **spectacula** includes theatrical and all other public shows. **rura**; *country seats.* The excessive outlay of time and labor in rendering country villas and their surroundings luxurious and beautiful, Quintilian thinks, is reprehensible. **calculorum sollicitudinem,** *concern about reckonings; worriment about financial affairs.* **ne—supersunt.** Even the spaces of time remaining from that which is squandered upon all these cares and follies, are unavailable (*ne quidem idonea*), unfitted by the condition of the mind thus engendered to do any effective labor.

19. quae omnia; not *tempora quae supersunt*, but all the misused time above described. **ut**; concessive; even though the nights should afford us no help. **bona pars—longior est.** A large portion of the night outlasts all needed sleep; extends beyond all the time required by nature for sleep. **nunc computamus.** Seneca de Tranquil. 3, 7: *saepe grandis natu senex nullum aliud habet argumentum, quo se probet diu vixisse, praeter aetatem.*

20. quasdam. See on x, 1, 7. **ad plura discenda,** *for learning several things,* or *arts.* **haec,** *these* particular sciences (*artes singulae*) to which alone they devoted themselves. **sed ea sola—fuerunt.** But those single studies pursued exclusively (*sola*) as they were, these great men were satisfied to have acquired once for all, not thinking it necessary to give the whole of life to the mere learning of them.

21-24. The examples of many great men show how much can be ieved by a life wisely employed.

21. in quo—reperiuntur. In the Homeric poems is manifested the knowledge of all human arts, either in the elaborate and complete description of their processes and productions (*opera perfecta*), or in allusions and terms showing distinctly (*n dubia vestigia*) the author's acquaintance with them. **Hip-**

1. Hippias of Elis, whose name is used as the title of two dialogues of Plato, the "Hippias Major" and "Hippias Minor," was a sophist, and contemporary with Socrates. The universal

knowledge which he professed (*prae se tulit*) was as superficial as general. **ita se praeparavit**, *he so trained* himself. Quintilian seems to have in mind the passage in Cic. de Orat. 3, 32: *Eleus Hippias, cum Olympiam venisset, maxima illa quinquennali celebritate ludorum, gloriatus est, cuncta paene audiente Graecia, nihil esse ulla in arte rerum omnium, quod ipse nesciret*, sqq. **inlusisse—iubebat.** This is to be taken as the independent statement of the sentence. "To say nothing of Homer, whose vast erudition is matter of inference, and of Hippias, whose claim to universal knowledge rests upon his own boastful assertions, we have the voice of all Greece bearing testimony to the wonderful attainments of Gorgias." For the construction *inlusisse Gorgiam Graeciae credimus*, see x, 1, 115. **Gorgiam.** Gorgias, of Leontini in Sicily, an illustrious sophist and orator, born in the early part of the fifth century B. C., lived to be more than a hundred years old, preserving his vigor of mind and body to the end, and thus setting at naught all the ills that extreme old age is subject to (*inlusisse tot malis*, etc.). His views on philosophy and oratory are embodied in Plato's "Gorgias." **qui—quaerere.** Cic. de Orat. 3, 32: *isque* (Gorgias) *princeps ex omnibus ausus est in conventu poscere qua de re quisque vellet audire; cui tantus honor habitus est a Graecia, soli ut ex omnibus Delphis, non inaurata statua, sed aurea statueretur.* This invitation, of course, and the answers and discourses in reply to questions thus elicited, were proof to all Greece of the variety and genuineness of his learning. The passage does not very distinctly say what it seems to mean; that Gorgias lived to extreme old age, always to the last acquiring, and always imparting knowledge; as we are assured by the accounts of his readiness to discourse on all possible questions proposed to him in presence of all Greece assembled at the great national games. And thus Gorgias is a splendid example of what can be achieved in life by the proper use of time.

22. quot saeculis, like *quam multorum librorum* in § 17, expects here a negative answer. Aristotle was employed for no long period, not centuries, but only a life-time, in attaining so much knowledge. See x, 1, 83. **nobis cognoscenda**, *by us they are only to be learned* (not *discovered*). We therefore are inexcusable if we suffer life to pass away without even greater

attainment than theirs. **sorte nascendi**; that is, the fortunate time of our birth; the providential allotment of our birth to this advanced period of civilization.

23. igitur, *therefore*, proceeding with our examples. **summus imperator.** Cato was rewarded with a triumph in B. C. 394 for his great military successes in Spain. **sapiens.** Cic. de Amicitia, 2, 6: *te* (*Laelium*) *sapientem et appellant et existimant. Tribuebatur hoc modo M. Catoni; scimus L. Atilium apud patres nostros appellatum esse sapientem; sed Atilius quia prudens esse in iure civili putabatur, Cato quia multarum rerum usum habebat.* **orator.** Cic. Brut. 17, 65: *refertae sunt orationes* (*Catones*) *amplius centum quinquaginta* (*quas quidem adhuc invenerim et legerim*) *et verbis et rebus illustribus.* **historiae conditor.** Cato wrote a historical work entitled the "Origines." **iuris.** He probably devoted one of the treatises in the form of letters intended for the education of his son to the subject of Roman law. See Mommsen's Hist. of Rome, 5, 12. See also xii, 3, 9. **rerum rusticarum peritissimus.** The treatise "de Re Rustica" is the only work of Cato extant. Fragments only of the rest have been preserved. **contentiones.** "*Accusator assiduus malorum Galbam octogenarius accusavit; ipse quadragies quater accusatus, gloriose absolutus.*" Aurel. Victor Vir. Illust. 47. **litteras Graecas—didicit.** Cic., Acad. 2, 2: *cum Graecas litteras M. Catonem in senectute didicisse acceperim.* And in de Senect. 8, 26, Cato is represented as saying: *quid qui* (*senes*) *addiscunt aliquid? ut et Solonem versibus gloriantem videmus, qui se quotidie aliquid addiscentem dicit senem fieri, et ego feci, qui litteras Graecas senex didici.*

24. Varro. See x, 1, 95, and note. **M. Tullio.** See x, 1, 107, 123; 5, 2, 16; xii, 2, 23; 3, 10; 10, 39. **Cornelius Celsus.** See on x, 1, 124. **de his omnibus artibus** refers to the *artes liberales:* dialectics, literary criticism, oratory, mathematics, astronomy, geometry, and music.

25-31. Some may say that this perfection is very difficult, and hitherto unattained; but let them remember that no law of Nature forbids it, nor is anything impossible simply because it has not yet been done; all great things are the work of time, and the most perfect things had no prior existence. Moreover, the aspiration to reach the highest, even if unsuccessful, may secure an honorable place near to it; nor, if men had felt that nothing was attainable better than the old, would great writers or orators

have existed at all; and, finally, while eloquence brings its reward even in worldly emolument, yet not on this account, but because it is one of the noblest attributes of man, for its own sake should students of oratory strive to attain the highest excellence.

25. at introduces an objection to which *ante omnia—fuerat* is the answer. **sufficit,** etc. The fact that Nature is capable of achieving this difficult work, and that whatever has not been done is not (therefore) impossible is enough to incite us to effort. **capere,** *to admit, allow,* or *be capable of;* as in i, 11, 14: *dum infirma aetas maiora non capiet;* v, 7, 1: *reprehensionem non capit ipsa persona.* **id** refers to *perficere opus. cadere in rerum naturam,* the reading of the old editions, is not so well authorized by the MSS. as *capere id rerum naturam.*

26. nam poesis—accepit, *for poetry reached its climax only in Homer and Vergil;* that is, not before Homer among the Greeks, nor before Vergil among the Romans. The old editions read *quantum—ab Homero et Vergilio, tantum—a Demosthene atque Cicerone.* **quis summa desperet.** Comp. x, 2, 9. **ut Cicero ait.** Orat. 1, 4: *prima enim sequentem honestum est in secundis tertiisque consistere.*

27. fuissent, fuerunt, sc. *optimi.* **Vergilius, Cicero, illi;** sc. *optimus, optimi fuisset, fuissent.*

28. ut; concessive. **alioqui—fuisset;** more fully expressed: "Moreover, art in its highest development would have rendered very poor service to mankind, if what was best had already been achieved; thus leaving no hope or incentive to genius for the future."

29. erat difficile. See on x, 5, 7. **qui a se—peti dicunt.** These are the followers of Aristippus and Epicurus. Cic. de Off. 3, 33, 116: *ab Aristippo Cyrenaici atque Annicerii philosophi nominati omne bonum in voluptate posuerunt virtutemque censuerunt ob eam rem esse laudandam, quod efficiens esset voluptatis; quibus obsoletis floret Epicurus eiusdem fere adiutor auctorque sententiae.*

31. bonam voluntatem, *a good aim,* or *purpose;* a desire for what is best (*optima*) in eloquence.

THE END.

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